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XIII

SELECTIONS FROM THE RECORDS OF THE REGALITY OF MELROSE

VOL.
III

February 1917

SELECTIONS FROM THE RECORDS OF THE REGALITY OF MELROSE

AND FROM THE MANUSCRIPTS OF THE EARL OF HADDINGTON

Edited from the Original Volumes in the Register House, Edinburgh, and in the possession of Mr. James Curle, the Earl of Haddington and others, by

CHARLES S. ROMANES, C.A.

VOLUME III

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INTRODUCTION

THE present volume contains the remaining manuscripts of the Court Books and Rolls of the Regality of Melrose, formerly in the possession of Mr. James Curle of Priorwood, and now deposited in the General Register House, Edinburgh; an abridgment of a volume of the hornings and inhibitions relating to the regality, and a rental of the abbey lands about the year 1564, both preserved in the Register House; transcripts and abridgments of valuable manuscripts relating to the Abbey in the possession of the Earl of Haddington, and some charters and other documents in the possession of the Earl of Lauderdale, Lord Binning, Mr. Thomas J. S. Roberts of Drygrange, and Mr. Curle.

The Editor in submitting these documents has been compelled through want of space to abandon his original intention of giving a somewhat detailed history of the lands and landowners within the bounds of the Regality, but the series of charters now printed and the accompanying footnotes will supply much of what would otherwise have found a place in these introductory pages.

The Chartularies of the Earl of Haddington are practically a continuation of the *Liber de Melros*, and demonstrate the dissipation of the Church lands by the commendators, abbots, and monks of Melrose before and at the time of the Reformation. They comprise grants relating to estates in Ayrshire and Dumfriesshire as well as the lands of the Regality in Roxburghshire.

These Chartularies show how the possessions of Melrose

Abbey were divided among the vassals of the monastery and how the kindly tenant and lessee developed into a feuar with a fixity of tenure and pastoral rights over grazing lands. These rights again were further consolidated when in the middle of the eighteenth century the various small feuars raised actions for division of the common lands, and once more had feudal rights conferred on them over the additional lands so acquired in feu, which were then added to their holdings. We might proceed further and show how in many cases these small holdings were again purchased one by one, and finally amalgamated into a single large holding, composed, it might be, both of arable land and hill pasture.

It has already been shown [1] that the whole property of the Monastery which had accumulated in the hands of the monks from the time of David I., and had been erected into a free regality, was finally vested in the Crown, and again granted by a charter of James VI., dated 1st May 1569, to James Douglas, second son of William Douglas of Loch Leven, as Commendator. In the Charters printed in this volume, p. 246 *et seq.*, we see how Douglas, acting with his Iconomus, Alexander Colville, Commendator of Culross,[2] exercised the power thus conferred upon him 'to set in feu ferme lang or schort takkis.' [3]

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[1] *Melrose Regality Records*, vol. i. Introduction, p. 46.

[2] Alexander Colville, Commendator of Culross, who was appointed Iconomus of Melrose during the pupillarity and minority of James Douglas the Commendator, we may note in passing, was the eldest son of the second marriage of Sir James Colville of Ochiltree, afterwards of East Wemyss, with Margaret Forrester, sister of David Forrester of Garden.[1] He was appointed Abbot of Culross on 4th February 1566-7,[2] and before January 1571-2 he was appointed one of the Senators of the College of Justice and a Privy Councillor on 26th May 1572, during which period he acted as Iconomus of Melrose.

[3] Oure soverane Lord wt avise and consent etc. Ordanis ane lettre to be maid under ye greit seill in dew forme to his weill belovit James Dowglas second sone to Williame Dowglas of Lochlevin Gevand grantand and disponand

---

[1] *Scots Peerage*, vol. ii. p. 547 and *Reg. Deeds*, vol. vi. fol. 265.

[2] *Reg Sec. Sig.*, xxxv. fol. 116.

The Monastery, its manor place, and pertinents were first resigned by the Commendator into the hands of the King, and were next erected into a temporal lordship in the person of William, Earl of Morton.[1] This superior

---

to him for all ye dayis of his lyff All and haill ye abbay of Melros place and monastery yairof wt all landis lordschippis annuel rentis milnis multuris woddis fischeingis tenentis tenandriis and service of fre tenentis kirkis teindis teind schavis and utheris frutis commoditeis and proffeittis quhatsumevir perteining to ye said abbay Makand ye said James commendatare yairof And gevand and disponand to him ye privilege preeminence vote place jurisdiction and authoritie quhatsumevir quhairof ye abbottis or commendataris of ye said abbay hes had and broukit be vertew of yair first fundatioun or be lovabill use and consuetude in ony tyme bipast Now vacand in oure soverane lordis handis and perteining to his hienes donatioun patronage and fre dispositioun Throw or be ye deceis of umquhile maister Michaell Balfour last abbot or commendatare of ye said abbay wt power to ye said James commendatare foirsaid durand his liftyme To brouke use occupy and posses ye said abbay as undoutit abbot or commendator yairof The frutis rentis commoditeis and proffeittis quhatsumevir yairof To intromet uptak and to his awin use and commoditie apply The landis lordschippis mylnis multuris woddis fischeingis teindis and utheris fruitis commoditeis and proffeittis of ye said abbay To set in few ferme lang or schort takkis all formar infeftmentis pretendit heretabill titillis or assedationis yairof set of befoir in prejudice of ye ancient rentall and commoditie of ye said abbay To reduce as ye law will permit The auld privilegis alsweill of regalitie as utheris belanging to ye said abbay Or quhairof ye samyn hes ony wayis bene in possessioun to use Siclyke and als frelie and lauchfullie in all respectis and conditionis as ony utheris abbottis or commendataris hes had enjoyit and possedit ye said abbay in ony tymes bigane And yat ye said lettre of donatioun and constitutioun be extendit in ye best forme wt all clausses neidfull Wt command in ye samyn to ye chancellare president and lordis of counsale and sessioun To grant and gif lettres in ye four formes inhibitionis and all utheris chargeis neidfull at ye instance of ye said James commendatare foirsaid for anseruing obeying and thankfull payment making to him his servitouris and factouris in his name Of all and sundrie frutis rentis commoditeis and dewiteis quhatsumevir perteining to ye said abbay Siclyke and in ye samyn maner as gif he had bene providit yairto of auld in ye court of Rome or be quhatsumevir uther ordour accustumat of befoir wt bullis and provisioun in maist ampill forme Wt command alsua to —— or ony uther famous and legall man to pas to ye said abbay of Melros and yair to gif institutioun to ye said James of ye samyn And to entir him or his lauchfull attornay or procurator in his name in reall actuall and corporall possessioun yairof and of all landis lordschippis teindis and utheris proffeittis rentis and frutis perteining yairto in presence of ane notar and witnesses as efferis And yat preceptis be direct ordourlie heirupoun wt extensioun of all clausses neidfull. Subscrivit be my lord regent at Striveling ye first day of Maij 1569 zeris.—Register of Presentations to Benefices (General Register House, Edinburgh), vol. i. fol. 23.

[1] *Liber de Melros*, vol. ii. pp. 657-9.

does not appear to have granted any feu contracts, at least none are found in the present chartularies, but the lands having passed in 1609 into the possession of the Earl of Haddington subsequent grants are made by him.

The period immediately before the Reformation is peculiarly interesting. The documents now printed reveal the troubles of the monks when they found their property passing out of their hands, their contests with the Commendator and the efforts they made to safeguard their interests.

For example, when the Commendator, James Stewart,[1] granted a charter to a certain Adam Aird in Ayrshire, 'the convent culd nocht condissend to subscrive and sele the said Adam Aird chertour nor na uther chertour' until the Commendator fulfil a promise he had made, 'to have delyverit to the reparatioun of the said abbay V^c^ merkis of the reddiest and first pament of the said compositioun silver, and siclyk iij^c^ merkis of the teyndis of Hassynden, and na pairt of the said sowms as yit delyverit.' . . . 'Efter the said ansuer gewin, . . . my Lord Commendatar forsaid as apperit be his wult and exteriour mowing of his body grew crawbit,' and the convent granted the consent to the charter only 'throcht feyr and dredour of the said conventis lewing to be discharget and tane fra thame be the said Commendatar conform to his minatorious wordis,' as is duly recorded in the instrument afterwards taken by the monks, on 21st August 1557, in protest against such injustice.[2]

In the previous year a similar instrument records, in the appeal of the convent to the Commendator, 'the thingis nocht fulfillit conforme to your Lordships promiss and wryting.' There is urgent need of his promised aid

[1] Son of James v. and Elizabeth Shaw, daughter of Shaw of Sauchie.—*Great Seal Reg.*, 31st August 1531.

[2] *Infra*, pp. 155-7.

in repairing the abbey: 'without the kirk be reparit this instant sommer God service will ceise in winter.'[1]

There follows another protest, lodged against 'Mr. Walter Balfour, persoun of Lintoun, Michell Cheshelm, alleget baillie deput of the regalite of Melrose, with thair cumpany and complicis turweand the leid of thair closter and causand to cast doune the samyn extending to xj stane of leid or thairby, at thair plesour,' under which provocation the convent very properly raised a cry of 'Spulze and reif.'[2]

Further, we read that when the convent directed a precept to remove occupiers from certain houses belonging to the Abbey, one of these tenants behaved outrageously and being 'denuncit cursit' 'he remanit in the kirk with fortificatioun of . . . Walter Chesholm, alleget baillie deput, and thair throcht be lang tym stopit God service . . . and als the said Walter Chesholm said gyf ony man or officer execute ony siclyk precept at the said prior and brether command he suld stuw his luggis.' Such was the contumacy shown by the unfaithful towards the monastery in its decline.

Included amongst these monastic writs are a series of Edicts by the Archbishop of Glasgow dealing with various matters of church discipline.[4] So far as they go these correspond closely to the statutes of the General Provincial Council which sat in Edinburgh between 1st March 1558–9 and 10th April 1559.[5]

Notwithstanding their protests, the monks were evidently forced to give their consent to the alienation of more and more lands belonging to the Church, as we see from the large number of charters and tacks granted by the Commendator in favour of various private persons.

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[1] *Infra*, pp. 217-19.
[2] *Infra*, p. 158.
[3] *Infra*, pp. 159-61.
[4] *Infra*, pp. 167-87.
[5] Patrick, *Statutes of the Scottish Church*, pp. 149 *et seq.*

The numerous charters granted by the Commendator James Douglas and his Iconomus afford much information regarding the ownership and transmission of the Church lands. Special interest attaches to the Charter of Confirmation of a charter granted by Elizabeth Striueling of the lands of Nether and Middle Blainslie, because it gives the boundaries of Blainslie in detail.[1] After a lapse of three centuries and more these boundaries can still be traced. The ruins of 'Cheildlyelis Chapel' and the walls which form part of the county boundary have hitherto escaped notice. The chapel seems to have been built upon a mound measuring fifty-eight feet by forty-four feet or thereby, in which the foundation walls of the old chapel, some two or three feet high, are now entirely hidden by the soil that has accumulated through the course of long years. In the centre of the ruins a burial-ground had been formed at a later period. Only one tombstone is now visible, broken in five pieces. The only words legible are '. . . . . also . . . . . 33 . . . . Thomas Darling, his grandson, ... departed this life the 10 . . 1747, aged . . .'

The door of the chapel seems to have faced east north-east by north and to have been seven feet wide. It opens thirty feet from the north corner of the building and about twenty-one feet from the south corner.

The Milsieburn flows past the base of the mound, and in the high bank on the other side of the burn there are three cuttings in the direction of the chapel which may possibly be traces of disused paths towards it. The history of the ruins is shrouded in mystery; but the mention of a Lyells Cross in the boundaries given in this charter of Blainslie, coupled with the fact that there is a place called Lylestone on the other side of the town of Lauder, sug-

[1] *Infra*, pp. 282-5. *Cf.* pp. 305-6.

gests that some notable personage of the name of Lyell or Ludolf (whether or not a Northumbrian knight, as has been surmised) may once have held lands in this neighbourhood, and left his memorial in this place-name.

As illustrations of various forms of sixteenth-century deeds, a charter of a portion of these lands of Blainslie, letters of pension, and two letters of tack (one of them in favour of Mr. John Knox, the nephew of the great Reformer) are reproduced in full in this volume.[1]

The lands which the monks gradually acquired in the neighbourhood of the Abbey formed in time a district of pear-shaped outline, practically identical with the present parish of Melrose, the broader portion of which lies to the north of the town and the Abbey. In addition to these lands, the monks obtained grants of other lands outside the parish and in various parts of the country as may be seen from the *Liber de Melros* and the Chartularies now printed.

Within the boundaries of the parish the monastery held the lands of Darnick, Danzieltoun now Dingleton, Galtonside now Gattonside, Drygrange, Old Melrose, Westhouses, Eildon, Newstead, the Wairds, Langlee, Appletreeleaves, Ladhope, Ladhopemuir, Calfhill, Buckholm, Williamlaw, Whitelee, Halkburn, Wooplaw, Allanshaws, Blainslie, Milcheside, Threepwood, Newhouses, Colmeslie, Langshaw, Housebyres, and Sorrowlessfield.

Outside the parish the monastery held portions of Lessuden or St. Boswells, Elliston, Cameston, Maxpoffle, and Redpath, as well as lands in Ayrshire and Dumfriesshire.

Darnick.

The lands of Darnick were granted to the monastery by David I.[2] and confirmed by William the Lion.[3] Refer-

[1] *Infra*, pp. 287-9, 327-8, 316-18, and 332-3.
[2] *Liber de Melros*, vol. i. p. 3, No. 1; p. 5, No. 2.
[3] *Ibid.*, vol. i. p. 3, No. 1; p. 5, No. 2.

ence is made to them in a convention between the abbots of Melrose and Kelso regarding boundaries,[1] and after a grant by William the Lion to the Abbey of Kelso in 1208 [2] they are again mentioned in his confirmatory grant to Godfrey Riddell of the lands of Prenvensete.[3]

Portions of Darnick had been granted to sub-feuars, and other portions were held by kindly tenants and tacksmen under the monks of Melrose even prior to 1540.[4] On 30th January 1564–5 Michael, Commendator of Melrose, bestowed them on William Maitland of Lethington,[5] who granted several sub-feus. A portion of the lands called Braidmedo in the occupation of Catherine Dury were feued to her by Maitland on 5th March 1566–7, with an obligation on her 'to compear at the courts to be held by him on the lands of Darnyk.[6] Andrew Ker of Faldonside obtained a ratification of certain infeftments of Darnick and Bridgend in 1581,[7] and in 1584, on the forfeiture of William Maitland younger of Lethington, they were presented to the Abbey with Andrew Ker of Faldounsyid as 'immediat tennant.'[8] It is not clear when 'Secretary' Maitland obtained the lands, but as early as 5th March 1556 he was granting feu charters. The superiority was disponed by James Maitland, son and heir of William Maitland, to James Ainslie, merchant, burgess of Edinburgh,[9] who, between the years 1616 and 1619, granted various charters, confirmations, and precepts of *Clare Constat* to many sub-vassals. The lands thereafter

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[1] *Liber de Melros*, vol. i. p. 134, No. 145.
[2] *Ibid.*, vol. i. p. 137, No. 146.
[3] *Ibid.*, vol. i. p. 138, Nos. 147 and 148.
[4] 'Drygrange Charter,' printed by Dr. Neilson in *Scot. Hist. Review*, vol. vii. p. 360.
[5] *Feu Charter of Kirklands*, vol. i. fol. 174.
[6] Dr. Maitland Thomson, Transcripts of Vatican Charters, vol. ix. No. 2079.
[7] *Acts Parl. Scot.*, vol. iii. p. 271.
[8] *Ibid.*, vol. iii. p. 322.
[9] His wife was Isobel Howison.

passed into the hands of the Earl of Haddington and are now held by a number of proprietors.

Dingleton.

The southern portion of the town of Melrose adjoining Darnick, now cut off by the railway, is known by the name of Danzieltoun or Dingleton. These lands were in the hands of the monks and their tenants from an early period. When the superiority of the Church lands was annexed to the Crown the lands of Dingleton formed part of the grant to the Earl of Haddington and others already referred to. A portion of the lands were owned by the M'Dougals of Mackerstoun, who held of the monks of Melrose, for James M'Dougall was served heir to his father in certain lands in Danzieltoun on 12th April 1608.[1] In 1756, eighty-seven acres of infield land and sixty-nine acres of outfield runrig and common lands were divided, under a petition to the sheriff, among the following parties: George Scott, Alexander Vair, Thomas Vair, Robert Lawrie, Walter Scott, Adam Dodds, George Scott, and the Duke of Buccleuch,[2] from whom and their successors portions of these lands have been feued.

Gattonside, formerly Galtounside, is a village lying on the north side of the Tweed opposite Melrose. It was included in the first grant of David I.[3] and was confirmed to the monks by Malcolm IV.[4] and William the Lion.[5] According to these charters, Galtonside extended from the junction of the Leader and Tweed along the Fawhopeburn (a tributary of the Leader), across the moor to the point where the Raeburn falls into the Alwent or Allan and from thence down the Alwent to its confluence with the Tweed. The lands were held by kindly tenants

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[1] *Roxburgh Retours*, No. 50.
[2] *Sheriff Court Records, Jedburgh.*
[3] *Liber de Melros*, vol. i. p. 4, No. 1; p. 5, No. 2.
[4] *Ibid.*, p. 6, No. 3.
[5] *Ibid.*, p. 12, No. 13.

and cottars under the monks at, and prior to, 1540,[1] when the portion known as Drygrange was given off.

On 28th February 1590 James Douglas, Commendator of Melrose, with consent of Lady Mary Ker, his spouse, for her liferent interest feued the lands of Gattonside to certain persons therein mentioned, the boundaries being then given.[2]

Drygrange.

When David, Earl of Huntingdon, succeeded to the lands south of the Forth he granted Hugh de Morville the territory of Lauderdale, including Drygrange. De Morville thereafter gave Drygrange to the monks of Melrose, who retained the holding as a forest in the occupation of kindly tenants or vassals. The earliest of these of whom we have obtained any trace was David Linlithgow. He was in occupation under a lease in the early part of the sixteenth century, and had cut down the timber and tilled the lands, which became very fruitful. His son, William Linlithgow, after a petition to the Pope,[3] narrating the services rendered by him and his father to the monastery in resisting incursions of thieves and reivers, obtained from the Abbot and Chapter a tack of nineteen years, dated 4th March 1536–7, which narrated that the lands being unproductive through continued use, like Darnick, Galtounside, Newstead, and others, it had become necessary for the monks to spend large sums upon them. Following this the Monastery, on 18th January 1539–40, granted a feu charter of the lands to the said William Linlithgow in liferent and John Linlithgow, his son and heir in fee.[4] On 28th July 1544 James, Commendator of Melrose, ratified this charter to William Linlithgow and his son.[5] When the superiority was forfeited to the Crown at the Reformation

[1] 'Drygrange Charter,' *Scot. Hist. Review*, vol. vii. p. 360.
[2] Bouston's Charter, Wade, *Melrose*, p. 340.
[3] Sir William Fraser, *Earls of Haddington*, vol. ii. p. 257, No. 356.
[4] 'Drygrange Charter,' *Scot. Hist. Review*, vol. vii. pp. 355-63.
[5] Sir William Fraser, *Earls of Haddington*, vol. ii. p. 260, No. 360.

and passed into the hands of the Earls of Haddington, the possession remained with the Lithgows, or Linlithgows, until 1602, when William Linlithgow and Catherine Home his spouse sold the lands to Stephen Bruntfield of Greenlawdene.[1] The possession in later times is briefly as follows: Bruntfield sold the lands in 1603 to Sir John Home of Cowdenknowes, who disponed them to the Earl of Haddington. In 1644, John, fourth Earl of Haddington, sold them to Thomas Linlithgow or Lithgow, portioner of Redpath, who was bailie-depute of the Regality. His son, James Lithgow of Drygrange, disposed of them to Robert Paterson of Old Melrose in 1709. Mr. Paterson sold them to Colin Maclaurin, Professor of Mathematics in the University of Edinburgh, who in turn disponed them to Thomas Tod, W.S., who was born on 6th December 1726 and died 26th December 1800. Mr. Tod was succeeded by his son Archibald Tod, who died 20th April 1816. His son, also an Archibald Tod, who married Elizabeth Pringle, was the next owner of the lands. Their son, Thomas Tod of Drygrange, married Elizabeth Fetherstonhaugh, only daughter of Charles S. Featherstonhaugh of College, Kirkoswald, and died 8th February 1867, aged fifty-seven. Their only child, Eliza Caroline Tod, married in 1861 Sir George Hector Leith Buchanan, Bart. She sold the lands to Mr. Edward Sprot, on whose death they were disponed to the present owner, Mr. Thomas J. S. Roberts.

Old Melrose.

The earliest reference we have obtained to the lands of Old Melrose, on which the first monastery of Melrose once stood, is contained in a sasine by Robert Ormeston of Auld Melrose to his son, John Ormeston, dated 20th April 1564.[2] A carved stone now forming the lintel of a small

[1] Nisbet, *Plates*.

[2] *Melrose Regality Records*, vol. i. p. 24.

building at Old Melrose bears the initials R. O., with the date 1575. On 27th October 1606, Robert Ormeston was served heir before the Regality Court to John Ormeston his father.[1] William Ormiston, his son, was in possession on 26th November 1633 [2] and had two sons, William (his second son) and Thomas.

William Cairncross of Old Melrose is mentioned on 10th April 1643 as the tacksman of half Langshaw, while on 2nd May 1657, and on 2nd January 1658,[3] he is sued for debt.

Agnes Mertone is mentioned on 22nd December 1666 [4] as liferentrix of the lands. She was the widow of William Fisher of M'Quirrie.[5] On 9th March 1667 Grizel Scot, who sues a debtor,[6] is styled 'widow' of John Fisher of Old Melrose. John Fisher of Old Melrose and Michael, his second son, are referred to on 27th June 1674.[7] On 28th March 1682 the Earl of Haddington granted a Charter of Adjudication and precept of Sasine in favour of Alexander Paterson of the lands which had been possessed by John and Robert Fisher, sons of deceased William Fisher, portioner of Darnick.[8] From the Roxburgh Sasines we find further that for certain purposes a John Fisher of Old Melrose disponed the property to Trustees, who obtained sasine on 12th January 1753, and then with their consent he conveyed it to Mr. Robert Fisher, minister of Collington, on 4th April 1753.[9] Mr. Fisher, on 6th April 1754, conveyed it to William Laing of Meikledale, Chamberlain to the Duke of Buccleuch, who obtained sasine on 26th April 1754.[10] On 27th April 1775 Gilbert Laing of

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[1] *Melrose Regality Records*, vol. i. p. 24; *Roxburgh Retours*, No. 40.
[2] *Ibid.*, vol. i. p. 93.
[3] *Ibid.*, vol. i. pp. 104, 142 and 143.
[4] *Ibid.*, vol. ii. p. 167.
[5] *Ibid.*, vol. ii. p. 172.
[6] *Ibid.*, vol. ii. p. 171.
[7] *Roxburgh Sasines*, vol. iii. p. 45.
[8] *Ibid.*, vol. iv. pp. 272-3.
[9] *Ibid.*, vol. v. pp. 181-9.
[10] *Ibid.*, vol. v. pp. 203-8.

Meikledale obtained sasine on a precept of *Clare Constat* as heir of his brother, William Laing of Meikledale.[1]

Mr. George Knight Erskine Fairholme acquired the lands during last century, and afterwards sold them to Admiral Sir Henry Fairfax, K.C.B. They now form part of the property of Ravenswood belonging to Mr. William Younger.

Westhouses.

Proceeding west from Melrose, on the north bank of the Tweed we have the lands of Westhouses now known as the Pavilion. These lands formed part of the western portion of Gattonside and were acquired by the Ormistons of Old Melrose, who held them before 1581,—the date inscribed on the principal gate of the old Tower which has now disappeared.[2] Thomas Ormiston, son to William Ormiston of Westhouses, is a witness to a sasine dated 26th May and recorded 23rd July 1635.[3] Under a Submission, dated 22nd October 1642, William Ormiston, elder, of Westhouses, and Jean Pringle, his spouse, for certain considerations conveyed the lands to Robert Pringle of Blindlee.

George Pringle of Blindlee had sasine of Westhouses and others on 6th January 1677 on a feu charter by the Earl of Haddington.[4] In 1734 the Earl of Haddington sold the lands to Thomas Douglas, brother of Archibald Douglas of Cavers.[5]

In 1759 Hugh Scott of Gala bought them from Mr. Douglas's trustees. Mr. Scott of Gala sold them to Benjamin Bell, Surgeon, Edinburgh, from whom Lord Somerville purchased them about 1805 together with those of Easter Langlee and Gateside. George III. named the lands 'The Pavilion' for the fourteenth Lord Somerville, under which name they are now known.[6]

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[1] *Roxburgh Sasines*, vol. xxii. pp. 72-5.
[2] Jeffrey, *Roxburghshire*, vol. iv. p. 81.
[3] *Laing Charters*, No. 2168.
[4] *Roxburgh Sasines*, vol. iii. p. 295.
[5] Jeffrey, *Roxburghshire*, vol. iv. p. 82.
[6] *Ibid.*

Eildon with the Newtown of Eildon.

The lands of Eildon which are situated south-east of Newstead on the southern slope of the Eildon hills, were granted to the monastery by David I.[1] When permission was given by the Papacy to feu the Church lands, Michael, Commendator of Melrose, on 6th March 1564,[2] granted a Charter of Eildon to John Stewart. Thereafter John Stewart, who succeeded him as Commendator of Melrose on 1st August 1573, made a grant of Eildon in favour of Christine Wardlaw, his wife, in liferent.[3] On 29th August 1598, Michael Stewart was served heir to his father, John Stewart of Eildon.[4] After the annexation of the Church lands to the Crown and the erection of Melrose into a temporal lordship, we find them owned by the lord of erection, the Earl of Haddington, in 1629–33, at which date they consisted of 20 husband lands or about 520 acres in the occupation of fourteen or more tenants or feuars.[5] They are now the property of the Duke of Buccleuch and others.

Newtown of Eildon consisted in 1629–33 of about six husband lands occupied by some eighteen kindly tenants and feuars.[6] Under an action of Division of the runrig lands and common instituted in the Sheriff Court of Roxburgh, the lands of Eildon were divided under a Decree dated 13th December 1748, and those of Newtown of Eildon under a Decree dated 17th April 1749.[7]

Newstead.

East of the town of Melrose we have the ancient holding of Newstead, now so well known through the recent excavations of the Roman remains in its neighbourhood. The name is probably derived from its being a stead of Melrose Abbey. To the east of the village lies the site

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[1] *Liber de Melros*, vol. i. p. 3, ch. i.; vol. ii. Ap. p. 665.
[2] *Feu Charters of Kirklands*, vol. i. fol. 133.
[3] *Liber de Melros*, vol. ii. p. 650, No. 607.
[4] *Roxburgh Retours*, No. 7.
[5] Earl of Haddington's MS. Rental and Valuation, in Teind Office.
[6] *Ibid.*
[7] *Sheriff Court Records, Jedburgh.*

of the Roman fort known as 'Trimontium,' the place of the Three Hills (Eildons),[1] past which the old Roman road called Dere Street or Watling Street is believed to have run. Newstead has probably been an inhabited site from the time of the Romans, and during the monastic period it was occupied by the tenants or vassals of the monks, who tilled the lands around. The earliest reference to these kindly tenants is in the Drygrange Charter, which shows that they were in possession at least prior to 1540.[2] The lands are now the property of Mr. Thomas J. S. Roberts of Drygrange, and others.

Lessuden.

South-east of Newstead lies Lessuden or St. Boswells, of which only a portion came into the possession of the monks of Melrose. In the reign of Robert I., John of Hormiston granted half a carucate of land in Lessuden to the monastery;[3] again on 1st May 1316 Robert I. gave Melrose a grant of his whole lands and tenements of Lessuden.[4] Following this, on 21st November 1317, he held an inquest as to whether Maxpoffil, Hevisyd, Cammayston and Ileffiston pertained to Lessuden.[5] This is followed by a charter detailing the services required from all the above lands and confirming previous grants.[6]

About 1353[7] Randulph de Nevill, Lord of Raby, confirmed to the monks the land of Wodfordehous which had been previously granted to them by Robert de Wodforde. He thereafter gave them his whole lands in Lessydewyne, given him by Edward Baliol, to be enjoyed by them after his decease.[8] On 20th October 1357 he entered into an indenture with the monks also granting them his manor

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[1] James Curle, *Roman Frontier Post*, p. 21.
[2] 'Drygrange Charter,' *Scot. Hist. Review*, vol. vii. p. 360.
[3] *Liber de Melros*, vol. ii. p. 379, No. 415.
[4] *Ibid.*, vol. ii. pp. 380-2, Nos. 416-18.
[5] *Ibid.*, vol. ii. p. 382, No. 419.
[6] *Ibid.*, vol. ii. p. 383, No. 420.
[7] *Ibid.*, vol. ii. p. 437, No. 469.
[8] *Ibid.*, vol. ii. pp. 437-8, Nos. 470 and 471.

after his decease,[1] and his son and heir, John de Nevill, granted a confirmation of this donation.[2] It is interesting to note that on 1st February 1409 Malcolm de Galbraith, Lord de Greenock, granted to the monks of Melrose his tenement of 'Persounlande' in the Barony of Lessuden in excambion for the land and tenement which they held in Kinross.[3] On 18th July 1415 John de Hiltoun, son and heir of the late William de Hiltoun, sold to the monks the house of William de Hiltoun in Lessuden,[4] and this sale was confirmed by Thomas de Chatto, son and heir of Mariota de Chatto, daughter of the late William de Hyltoun.[5]

In the reign of James II. a dispute arose between the abbots of Melrose and Dryburgh as to certain tithes of Lessuden, the former protesting against the sequestration of the tithes.[6] On 29th August 1539 the king confirmed a charter of the abbot and monks to Arthur Sinclair of the lands, excepting Newtown, Eliston, Maxpoffle, Cammeston, and Plewlands.[7] In July 1549 the lands were still in possession of Arthur Sinclair, but at that time his brother Henry Sinclair, parson of Glasgow, obtained sasine of them from the Commendator of Melrose, who was then going to France.[8]

About 1620 the lands were possessed by Walter, Christian, and David Gibsone and others.

Cambeston.

On 2nd July 1402 Cambeston was granted to the monks of Melrose by James Fraser, Lord of Ferendrach (Frendraucht), burdened with a payment of £3 per annum to himself and the usual service to the crown.[9] This grant

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[1] *Liber de Melros*, vol. ii. p. 439, No. 472.
[2] *Ibid.*, vol. ii. p. 439, No. 473.
[3] *Ibid.*, vol. ii. p. 534, No. 536.
[4] *Ibid.*, vol. ii. p. 535, No. 537.
[5] *Ibid.*, vol. ii. p. 537, No. 538.
[6] *Ibid.*, vol. ii. pp. 573-7, Nos. 565-7.
[7] *Great Seal Reg.*, vol. 1513-46, No. 2195.
[8] *Acts and Decreets*, vol. iv. p. 182 (9th August 1550).
[9] *Liber de Melros*, vol. ii. p. 487, No. 504.

was confirmed by James I. on 10th May 1425.[1] It is followed by procuratories of resignation by Janet Dunbar, Lady Frendraucht, on 8th May 1496,[2] and James Gifford of Schirefhall on 4th September 1496,[3] of their annual payment of £3.

Sir James Crichton of Frendraucht, grandson of Janet, Countess of Moray and Lady Frendraucht, ratified her surrender of her annual rent and further gave the monks 100 merks or 'fyve Seks woll cleyne' on 12th June 1498.[4] On 19th April 1499 the Monastery gave an obligation not to trouble James Gifford of Schirefhall regarding the matter.[5] The lands are not mentioned again until about the time of the Reformation when they were included in a grant to Alexander Balfour of Denmylne, dated 7th January 1560.[6] James Stoddert was proprietor at, and prior to, 9th July 1664,[7] and later, Thomas Riddell, second son of Sir Walter Riddell, who was succeeded by his son, William Riddell, who obtained sasine on 22nd July 1780.[8] William Riddell's son, Thomas Riddell, having predeceased his father, the lands passed to his grandson, Major-General William Riddell, who was succeeded by his son, the present owner, Colonel William Carre Riddell.

Elliston.

The earliest holder of the lands of Elliston of which we have knowledge was John, the son of Yliff, who gave a portion of them to Adam Baggate in the reign of Alexander II.[9] Grants of other portions to the monks of Melrose were confirmed by his daughters Avicia[10] and Agnes,[11] wife of Laurence Ylifiston, the charter of the

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[1] *Liber de Melrose*, vol. ii. p. 538, No. 539.
[2] *Ibid.*, vol. ii. p. 618, No. 589.
[3] *Ibid.*, vol. ii. p. 620, No. 590.
[4] *Ibid.*, vol. ii. p. 621, No. 591.
[5] *Ibid.*, vol. ii. p. 622, No. 592.
[6] *Great Seal Reg.*, vol. 1546-80, No. 1819.
[7] *Melrose Regality Records*, vol. i. p. 262.
[8] *Roxburgh Sasines*, vol. xxiv. fol. 327.
[9] *Liber de Melros*, vol. i. p. 231, No. 260.
[10] *Ibid.*, vol. i. p. 232, No. 261.
[11] *Ibid.*, vol. i. p. 237, No. 262.

latter being dated 11th April 1249. To this was added a further grant of ten acres, or the equivalent value of ten acres in money or land,[1] by Thomas, the son of Gilbert, the son of Laysinge, who had purchased the lands from John, Lord of Hylifstun.

In the confirmation of the charter of the abbot and monks of Melrose of the lands of Lessuden, granted to Arthur Sinclair on 29th August 1529, Newtown, Elliston, Maxpoffle, Cameston, and Plewlands are specially excepted, showing that these were held by others at that moment.[2] On 3rd April 1568 Michael, Commendator of Melrose, granted a charter of the lands of Elliston to Thomas Scott of Hanyng.[3] On the forfeiture of James, Earl of Bothwell, this charter was confirmed on 23rd March 1575–6 by James VI., with consent of James, Earl of Moray,[4] Thomas Scott being then deceased. John Scott, minister at Selkirk, thereafter made claim to the half of the lands in consequence of the possession of his ancestors as kindly tenants prior to Thomas Scott's investiture, but the Privy Council, on 28th June 1576, confirmed the infeftment of Robert, son of Thomas Scott.[5] On 23rd December 1612 Robert Scott of Hanyng was served heir to his father Robert Scott of Hanyng in these lands.[6] They were afterwards acquired by a family of the name of Tulloh, and Robert Tulloh was in possession in 1840. In 1863 the Hon. George Grey Dalrymple, second son of the Earl of Stair, purchased the mansion house and surrounding parks, which, on the death of his son, George North Dalrymple, without issue passed to his daughter, Miss Mary A. W. E. Dalrymple, the present owner. The farms were purchased by Lord Polwarth.

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[1] *Liber de Melros*, vol. i. p. 238, No. 263.
[2] *Great Seal Reg.*, vol. 1513-46, No. 2195.
[3] *Feu Charter of Kirklands*, vol. ii. fol. 9.
[4] *Great Seal Reg.*, vol. 1546-80, No. 2537.
[5] *Privy Council Register*, vol. ii. p. 538.
[6] *Roxburgh Retours*, 339.

On the southern boundary of the Regality lies Maxpoffle. In 1296 Adam of Maxpoffil, son of Adam of Maxpoffil, swore fealty to Edward I. of England and, presumably as a reward for his oath of allegiance, recovered his lands the same year.[1] The lands being afterwards forfeited to Robert I. seem next to have been granted to Lawrence of Abernethy, the son of William Abernethy, by whom they were eventually bestowed upon the monks of Melrose.[2] About the time of the Reformation, the Cairncrosses of Comeslie were in occupation of the lands of Maxpoffle, and in the rent roll of the Abbey in 1636 they appear as still owning them. Maxpoffle.

On the south side of the Tweed and west of Darnick is the site of the ancient village of Bridgend, to which reference is frequently made in the proceedings of the Regality Court. It has been said to take its name from a bridge which David I. erected at Cobbleshaugh over the Tweed to afford a passage for the pilgrims.[3] Some remains of a bridge, probably constructed at a much later date, were still standing in 1746. An illustration of the ruins is given by Gordon in the *Itinerarium Septentrionale*, Plate 64; but it must be admitted that his drawing is more suggestive of an Italian landscape than of any scene upon the Tweed. Bridgend.

The lands of Bridgend, which were in the occupation of the tenants of the monastery, were finally divided under decree of the sheriff of Roxburgh in 1753.[4] Latterly part became known as Lowood, and was owned by Robert Charles Kidd, and later by his son Henry Kidd. Lowood is now the property of Mr. Henry Nicholas Middleton.

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[1] *Ragman Roll. Cal. Doc. Scot.*, vol. ii. p. 199, and *Liber de Melros*, vol. ii. p. 381, Nos. 418, 419, 420.

[2] *Liber de Melros*, p. 384, No. 421.

[3] *New Statistical Account of Scotland*, vol. iii. p. 68, and Jeffrey, *Roxburghshire*, vol. i. p. 30.

[4] *Sheriff Court Records, Jedburgh.*

Abbotsford.

A portion of Bridgend, extending to about one hundred acres, was acquired by Sir Walter Scott. He first purchased, in 1811, certain lands called Newharthaugh or Cartlyhole, which had been allotted to William Dickson, portioner of Darnick, or his authors, on the division of the runrig lands in 1753. Mr. Dickson's only surviving daughter, Euphan Dickson, who had sasine of the lands on 7th February 1793,[1] married Walter Turnbull, parochial schoolmaster in Melrose. Turnbull and his spouse sold the property to the Rev. Dr. Robert Douglas, minister of Galashiels. Dr. Douglas disposed of them to Sir Walter Scott, who built his mansion-house upon them. They formed the nucleus of the property which he gradually acquired and to which he gave the name of 'Abbotsford.'

Sir Walter Scott's two sons having died without issue, he was succeeded by his only daughter, Charlotte Sophia, the wife of John Gibson Lockhart, Advocate. Mrs. Lockhart's only daughter, Charlotte Harriet Jane, married James Robert Hope Scott, Q.C., whose only surviving child of the marriage, Miss Mary Monica Hope Scott, married, on 21st July 1874, the Hon. Joseph Constable Maxwell Scott, third son of William, Lord Herries, and is the present owner.

The Wairds.

Among the lands adjoining the town of Melrose are the 'Wairds,' which are frequently referred to in the proceedings before the Regality Court. They are situated on the south side of the main road leading from Melrose to the village of Eildon, and originally extended to about sixty-seven acres, out-field and in-field, including the Gallowsbrae. The new cemetery now covers part of the ground.

At an early period they were held in succession by a

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[1] *Roxburgh Sasines*, vol. xxxiv. fol. 162.

number of kindly tenants or occupiers of Melrose who farmed them under the runrig system of cultivation. They were feued from the monks by John Young, W.S., who, on 25th December 1575, granted a charter sub-feuing one-fourth of the lands in favour of Walter Scott of Goldielands, John Fisher in Dernick, Thomas Mar in Newsteid, John Wallace in Melrose, Elizabeth Hoy there, John Clennan there, Walter Ellis in Danzeltone, and David Home (or Andrew *alias* David Howie) in Kelso.[1]

During the seventeenth century we find these allotments were in possession of families, among others, of the names of Wallace, Ellies, Lithgow, and Penman. The pasture and other lands were finally allotted under a decree in an action of division on 19th February 1751.[2]

Easter and Wester Langlee.

West of the Alwyn Water, Gattonside and Westhouses lie Easter and Wester Langlee. The monks were in possession of these lands as early as 4th September 1317, for Robert I. on that date granted a letter of Attorney executed at Langley addressed to Thomas, Earl of Moray, to give sasine of the lands of Redpath to the monks.[3]

The lands were evidently retained by the monks in their own hands, for on 31st August 1542 James V. charged the Bailie of the Abbey to remove the goods of the Abbey from the steading in order that James Hoppringle, son of George Hoppringle of Tandlaw, should put his goods therein and to 'brouk the said steid for his guid, trew and thankfull service done be him to ws in the taking and bringing of James Douglas sumtyme of parkheid o^r rebell and at o^r horne to ws at the last raid maid be the inglismen upoun o^r liegis, Keipand this o^r writting for zo^r warrand.'[4] On 28th February 1624 James

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[1] Dr. Maitland Thomson, Transcripts of Vatican Charters, vol. x. No. 2378.
[2] *Sheriff Court Records, Jedburgh.*
[3] *Liber de Melros*, vol. ii. p. 387, No. 424.
[4] *Ibid.*, vol. ii. p. 641, No. 602.

Cairncroce of Colmeslie as superior granted a precept of *Clare Constat* in favour of John Mitchell, son of the late Mr. John Mitchell, minister of St. Andrew's in London, of the lands of Eistsyid of Langley and Westersyid of Housebyre as lawful and nearest heir of the deceased.[1]

George Pringle of Torwoodlee ('The Covenanter') and his son, James Pringle, had possession of the lands in 1629–33 [2] in security of debt.[3]

After passing out of the hands of the Pringles, these lands were held by a series of owners. Easter Langlee was owned by a family of the name of Bell. On 10th November 1640 Thomas Bell of Easter Langlee and his sons, George, Hew, and William, are mentioned.[4] Thereafter the property passed into the hands of the Fishers and others, and now forms part of the Pavilion estate owned by the Hon. Louisa Harriet Henry, widow of General Charles Stewart Henry.

Wester Langlee or Gala Bridge was owned by Alexander Gray, who is mentioned 24th July 1638 and on 25th March 1641.[5] After numerous transmissions it has become the property of Major Arthur D. Forbes Gordon.

Appletree-leaves.

The lands of Appletreeleaves lie north-east of the town of Galashiels, which is now partly built upon them. They were long in the occupation of a family of the name of Darling, which appears to have held them under the monks of Melrose for many generations as kindly tenants and latterly as tacksmen and feuars. It is not unlikely that a certain grant by Robert I. to William Maxwell and his spouse of half of the lands of Apiltrie resigned by Thomas Carnoco [6] refers to these lands, but there is no positive proof of this surmise. The earliest tenant or feuar of

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[1] Edgerstoun Charters, No. 60.
[2] Haddington Valuation, in Teind Office.
[3] *General Sasines*, vol. xi. p. 23.
[4] *Melrose Regality Records*, vol. i. p. 96.
[5] *Ibid.*, vol. i. p. 101 and p. 124.
[6] Robertson, *Index*, p. 11, No. 53.

whom we find mention under the Monastery is John Darling, who died in 1552, leaving three sons, John, Robert, and Philip.[1] Robert Darling is mentioned in 1577.[2] His son, Andrew, with his future spouse, Catherine Cairncross, obtained sasine of Ladhopemuir on 10th July 1583,[3] and twenty years later we have the testament of Peter Darling, Appletreeleaves, who left four children, Philip, Robert, William, and Kathrine.[4] In 1598 his eldest son, Philip Darling, complained to the Privy Council of a murderous attack made upon his life.[5]

Ladhope.

The lands of Appletreeleaves when first feued were divided into three portions, 'Easter,' 'Mid,' and 'Wester,' by which aliases the owners were known, but latterly these divisions were fractioned up among various branches of the family. The southern portion, or half of a third of Appletreeleaves, latterly became known as Ladhope.

Ladhopemuir.

We find the lands of Ladhopemuir divided into two portions after the superiority of the Church lands was annexed to the Crown, for on 20th March 1567 Michael, Commendator of Melrose, granted one half to Charles Carnecross in Cummeslie and Marion Hoppringle, his spouse, in liferent and Johne Cairncross, their son, in fee, and the other half he gave to William Carthar in Cumeslie and Margaret Moffat, his spouse.[6]

Calfhill.

The former portion became known as Calfhill or Hilslop, and was held by the Cairncrosses for many generations. The last of the family to own this Eastside of Ladhopemuir, as the property was also often styled, were the Misses Elizabeth and Janet Cairncross, sisters of the

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[1] *Edinburgh Testament Register*, 18th January 1574.
[2] Steven Hunter's Testament, *Edinburgh Testament Register*.
[3] *Regality Court Records*, vol. iii. p. 351.
[4] *Edinburgh Testament Register*.
[5] *Privy Council Records*, vol. v. p. 454.
[6] *Charters of Kirklands*, General Register House, 1564-86, vol. ii. fols. 190 and 191.

deceased Hugh Cairncross of Hilslop, who, as we find in the Roxburgh Sasines, on 21st August 1754, obtained sasine on precept of *Clare Constat* by the Duke of Buccleuch of Allanshaws, Calfhill, East side of Ladhopemuir, Notman's Park, and Maxpoffle. These ladies in 1759 left moveable estate to the amount of £12,262, 2s. Scots. The former bequeathed her property to John Rutherford of Edgerstoun and the latter to Alexander Pringle of Whytbank and his children. The bequest was disputed by Thomas Mill, schoolmaster, Halalies, as their nearest in kin, who raised an action, and was successful in reducing the former settlement while he compromised his claim in the latter case.[1] The lands were owned for some time by Mr. Borthwick of Crookston, thereafter by James Dalrymple of Langlee, and are now in the possession of Major Arthur D. Forbes Gordon, his grandson.

Buckholm.

Adjoining Appletreeleaves is Buckholm. This ancient holding lies immediately north of the town of Galashiels, which is now partly built upon these lands. In the reign of William the Lion, Richard de Morville granted Buckholm to the monks of Melrose with permission to erect a byre there to hold sixty cows, and this grant was confirmed by William the Lion.[2]

The lands had passed into the hands of the family of Pringles prior to the middle of the sixteenth century, for in 1548 James Hoppringill of Tynnes was in possession.[3] In June of that year Robert Hoppringill of Blyndley and others were charged with treasonably assisting the English and keeping the house of Bukholm;[4] in 1591, however, we find the Pringle of Bukcum of that day giving his oath to serve his king faithfully.[5] Early in the last century

[1] Russell, *The Haigs of Bemerside*, p. 361.
[2] *Liber de Melros*, vol. i. p. 84, No. 96; p. 96, No. 107; and p. 100, No. 111.
[3] Jeffrey, *Roxburghshire*, vol. iv. p. 103.
[4] Pitcairn, *Criminal Trials*, vol. i. p. 338.
[5] *Privy Council Records*, vol. iv. pp. 648, 691, 708, 810.

Buckholm was purchased by Mr. James Pringle of Torwoodlee and now forms part of that property.

Williamlaw.

The lands of Williamlaw were long owned by a family of Hunter, who held various other lands in the neighbourhood and offices connected with the Abbey, where they had a family burying-place. Their arms appear below one of the south windows of the abbey with the initials 'A.H.,' which stand for Andrew Hunter, who was Abbot from 1449 to 1459,[1] and Lord High Treasurer.[2] The first member of this family we have traced as owner of Williamlaw was Stephen Hunter, who obtained a Charter from the monks on 6th April 1547,[3] and who died in October 1572 and was succeeded by his son or grandson, Robert Hunter.[4] Robert Hunter died in September 1581, and was in turn succeeded by his son William. On 7th October 1588 William Hunter and his future spouse, Barbara Cairncross, obtained a tack of nineteen years of the lands of Williamlaw, while the lands were feued to these parties by the Earl of Morton on 30th May 1589.[5] Thereafter about 1620 the Earl of Haddington confirmed a charter by William Hunter of Williamlaw, Mr. William Hunter, his son, with consent of Elizabeth Douglas, his mother, and Barbara Cairncross, spouse of the said William Hunter, and Janet Mow, spouse of the said Mr. William Hunter, to James Pringle, fiar of Buckholme, of the lands of Williamlaw.[6] James Pringle was succeeded by John, his eldest son, who married a Catherine Ramsay. He died 24th April 1675, aged seventy-two, his spouse on 26th April 1680, aged seventy-six, and both are buried in Melrose Abbey.

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[1] *Doc. Scot.*, vol. iv. Nos. 1216 and 1301.
[2] Crawford, *Offices of State*, p. 360.
[3] *Regality Court Records*, vol. iii. p. 340.
[4] *Edinburgh Testament Register.*
[5] *Infra*, p. 343.
[6] *Infra*, p. 413.

Margaret Hunter, daughter of deceased William Hunter of Braidwoodshiels, was served heir to her grandfather, Mr. William Hunter of Williamlaw, on 8th June 1672, though the lands had been sold by him as mentioned.[1] George Pringle of Buckholm had sasine of Williamlaw on 9th August 1680,[2] and James Pringle was infeft prior to 10th January 1691, when he granted bonds over Buckholm and Williamlaw in favour of Thomas Pringle and Robert Faa, Bailie of Melrose.[3] Afterwards Rutherford of Farnilee owned the lands, and now they are the property of Mr. J. L. Pringle of Torwoodlee.

Whitelee.

The lands of Whitelee, situated on the left bank of the Gala, about two miles north-west of Galashiels, were granted to the monks by William the Lion at Michaelmas 1189.[4] Next, Richard de Morville granted to the monks of Melrose a site in Whitelee for a byre to hold one hundred cows or a shed to hold six score of sheep.[5] This grant was afterwards confirmed by the King, who fixed the boundaries of the pasturage of the monks of Melrose and the men of Wedale, namely, from the road which stretched by the west side of the Church of Wedale and so on to the stream called Fasseburne.[6] Early in the seventeenth century John Spottiswoode owned the lands of Quhitlie and Quhitlie Dykes.[7] William Spottiswood, his son, with consent of his spouse, Elizabeth Michelson, after burdening the lands to John Pringle of that Ilk assigned the reversion to Thomas Hunter of Hackburn on 18th February 1624,[8] and having failed to redeem the lands John Pringle, on 16th June 1624, disposed of them to Hunter.[9] In 1691 part of the lands

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[1] *Melrose Regality Records*, vol. ii. p. 301.
[2] *Roxburgh Sasines*, vol. iv. p. 140.
[3] *Ibid.*, vol. v. pp. 33-6.
[4] *Liber de Melros*, vol. i. p. 84, No. 96.
[5] *Ibid.*, vol. i. p. 95, No. 106.
[6] *Ibid.*, vol. i. p. 103, No. 112.
[7] *Infra*, p. 38.
[8] *General Sasines*, vol. xiv. p. 305.
[9] *Ibid.*, vol. xv. p. 161.

were held by Patrick Porteous [1] and afterwards by persons of the names of Wallace, M'Dougal, and Ormiston.

Eventually Mr. Andrew Fisher, wright in Edinburgh, purchased the estate. He was succeeded by his brother, John Fisher of Housebyres, whose two daughters, Elizabeth, wife of Robert Oliver, merchant, Jedburgh, and Christian, wife of Thomas Waugh, writer, Jedburgh, obtained sasine of these lands as well as Whitlie Dykes, Hackburn, Butterhope, and Loaning Knowe on 16th August 1757, as recorded in the Roxburgh Sasines, while Thomas Waugh obtained sasine of the same on 24th July 1780 on a Disposition by Cornelius Elliot, writer in Edinburgh.[2] Latterly they were owned by the late James Paterson, W.S., whose trustees sold them to Mr. George Roberts.

Halkburn.

To the north-west of Williamlaw are the lands of Halkburn. This was an old holding of the family of Hunter. As early as 16th February 1546–7 we have evidence of a Hunter in Halkburn [3] and again in 1558.[4] From the *Edinburgh Register of Testaments* we find several generations of the family in possession after that date. In 1631 a division of the lands took place and Thomas Hunter disponed one half of the lands of Halkburn together with three husband lands in Blainslie and others in favour of William Wallace, Advocate depute-Sheriff of Edinburgh.[5] Mr. William Wallace of Allarslie was heritor of the lands on 29th December 1664,[6] and we have a reference to the same Mr. William Wallace of Hagburne in 1666.[7] On 3rd August 1677 [8] Utred

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[1] *Roxburgh Retours*, No. 301.
[2] *Roxburgh Sasines*, vol. xxiv. fol. 336.
[3] *Great Seal Reg.*, vol. iv. No. 2319.
[4] Sir William Fraser, *Earls of Haddington*, vol. ii. p. 264, No. 368.
[5] *Great Seal Reg.*, 1634-51, p. 711, No. 1911.
[6] *Melrose Regality Records*, vol. ii. p. 119. [7] *Ibid.*, vol. ii. p. 167.
[8] *Privy Seal Minute Book*, printed in *Genl. Mag.*, vol. iv. p. 454.

M'Dowell, merchant burgess of Edinburgh, infefts his wife, Janet Wallace, who was possibly a daughter of the above William Wallace, in the lands of Halkburn, Whitlie, Whitliedykes, Butterhole, Coningknowe, three husband lands in Blainslie and three-quarters of Caidsley.

On 16th August 1757 Elizabeth Fisher, wife of Robert Oliver, merchant, Jedburgh, and Christian Fisher, daughters of John Fisher of Westerhousebyres, had sasine of the lands of Halkburn as heirs portioners of Andrew Fisher, wright, burgess of Edinburgh.

At a later date the lands were owned by Robert Renwick, whose estates were sequestrated, and they were then sold by his trustee to Mr. James Brown, junior, manufacturer, Galashiels.

Wooplaw.

The lands of Wooplaw were originally held by tenants of the monastery under tacks.[1] William Cairncross of Comeslie gave James Cairncross, his eldest son and heir-apparent, these lands on 11th May 1611, on the marriage of the latter with Janet Ker, daughter of Andrew Ker, and granddaughter of Sir Andrew Ker of Heiton. Sasine was obtained on 10th October 1611. His son, James Cairncross, had a charter from Thomas, Earl of Haddington, of these and other lands on 1st June 1621.[2] On 4th July 1622 a confirmation was granted by the Earl of Melrose of a sale by James Cairncross with consent of his spouse, Janet Ker, of the lands of Allanschaw and Wouplaw for 18,000 merks to George Pringle of Torwodlie.[3] We find in the General Sasines that James Cairncross burdened them to John Fisher in Drygrange on 24th October 1632 [4] and on 10th January 1633. On 2nd December 1643 James Cairncross, with consent of his wife, Janet Ker, in consideration of 2000 merks conveyed Wooplaw to William

[1] Such as Edgerstoun Charters, Nos. 39, 44.
[2] Wouplaw Inventory of Writs, No. 1.
[3] Edgerstoun Charters, No. 57. [4] *General Sasines*, vol. xxxvii. fol. 40.

Cairncross of Old Melrose.[1] On 27th September 1652 he disponed the lands with consent of his son Andrew to John Pringle of Cortilferrie.[2] These writs were only in security of advances, for we find that Andrew Cairncross of Wolplaw and Wester Longley was in possession on 9th April 1659, and also on 22nd December 1666.[3]

On 28th October 1668 John Scott of Langshaw obtained sasine of the lands on a bond by Andrew Cairncross of Westerlanglee, and again on 30th April 1672.[4] Andrew Cairncross disponed them to Heugh Scot of Galasheills, who obtained sasine in his favour on 23rd March 1680.[5]

They were sold on 22nd July 1681 by Hugh Scot of Gala [6] to John Murray, Boon Milne, whose father, William Murray, Boon Milne, is said to have been a landed proprietor in Perthshire who had joined the Earl of Glencairn in supporting Charles II., and on the defeat of that nobleman by Cromwell's army fled to Berwickshire. On 20th April 1706 John Murray, elder, had sasine on a charter by the Earl of Haddington in his favour in liferent and his son, John Murray, in fee.[7] James Murray of Wooplaw obtained sasine of the lands on 13th December 1773 as heir to John Murray, his father.[8] The property continued in the family of the Murrays of Wooplaw until it was sold by the trustees of John Murray of Wooplaw, W.S., in 1910, to Mr. Adam Tait, Manager of the Royal Bank of Scotland.

Allanshaws.

The lands of Allanshaws were granted to the monks by Alan, the Constable of Scotland, together with Threepwood, and the boundaries were at that time given as follows: 'From fairford ascending to Staincros thence ascending to

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[1] Edgerstoun Charters, No. 69.
[2] *Ibid.*, No. 74.
[3] *Melrose Regality Records*, vol. i. p. 228, and vol. ii. p. 167.
[4] *Roxburgh Sasines*, vol. ii. pp. 135 and 359.
[5] *Ibid.*, vol. iv. p. 108.
[6] *Ibid.*, vol. iv. p. 226.
[7] Wouplaw Inventory of Writs, No. 19.
[8] *Ibid.*

the boundaries of Wedale [1] and so by the road which is the division between Wedale and Lauderdale to Alewentisheude [2] and thence by the boundaries between Wedale and Lauder to the road which is the division between Burnerig [3] and Leudeparc [4] descending by the same road to the stone Cross and so straight over to the Cross which is placed at the head of "Fulwithenis," and so by the road to the south by Harlaw till it comes opposite Morclow [5] and so descending by the stream to Standenburne and so ascending along Standenburne to the boundaries of Threepwood.' [6]

They were 'debateable' lands on 18th June 1500 when Robert Lauder of that Ilk resigned them to the monastery.[7]

These lands remained in the hands of the monks until the Reformation, when a third of the benefices and the superiority were annexed to the Crown with the other Church lands. Afterwards they formed part of the new grant to the Earl of Haddington. Charles Cairncroce in Alaneschawis had a tack by James, Commendator perpetual of Melrose, with consent of the convent thereof for his life and that of two successive heirs and to the next heir for thrice nineteen years (with entry at date) of the teind sheaves and small teinds, parsonage, and vicarage, of the lands of Alaneschawis; dated 6th September 1586, signed by the Subprior and James Watson 'only convent.' [8]

The lands were on 8th June 1590 feued by the Commendator with consent of his spouse, Dame Marion or Mary Ker, and Janet Scott his mother, to the said Charles Cairncross,[9] who sold them on 6th May 1600 to William Cairncross of Comeslie.[10] This family held these lands for

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[1] Stow. [2] Head of Alan Water. [3] Brownrig.
[4] Ladypart. [5] Muircleuch.
[6] *Liber de Melros*, vol. i. p. 69, No. 79.
[7] *Ibid.*, vol. ii. p. 602, No. 580. [8] Edgerstoun Charters, No. 37.
[9] *Ibid.*, No. 42. See *infra*, p. 369. [10] *Ibid.*, No. 47.

several generations. They are now the property of Mr. William Wood, farmer, Corshope, Heriot.

South-east of Newhouses are the lands of Blainslie—land through which the Roman road afterwards known as Dere Street probably ran. These lands were granted by William the Lion to the monks of Melrose[1] and formed one of their oldest granges. They were occupied by the tenants of the Monastery in three villages known as Overtown, Middletown, and Nethertown of Blainslie. Blainslie.

About 1180 or later Richard de Morville, with consent of his son William, granted liberty to the monks of Melrose to plough and sow the lands of 'Blanesleye' and the plain beyond the grove over to the Leder.[2] This grant was confirmed by William de Morville.[3] About the same period, Alan Fitzwalter, Steward of Scotland, quitted all claim he had to the pasturage of Bleinsley in favour of the monks.[4] We have failed to trace any further reference to these lands until 5th April 1547 when the following are found 'nychtbouris induellaris and occupiaris of the Onertoune of Blannyslie': Jhon of Romanos, James Lorne, Thomas Fogo, William Hall, James Derlyng, Mychaell Dicson, Robert Clerk, Jhon Grewe, Gilbert Thyne, William Jhonson, Patrick Jhonson, Jhon of Hall; while under the Nethertoun we have the names Stewyn Hunter, Thomas Hunter, James Swynnos, George Dawesoun, William Sterlyng, William Hall, Mychaell Dicson, John Grewe, Robert Hoppryngill for his brother, and Andrew Hoppryngill.[5] Of these, Stephen Hunter obtained a Charter of certain lands in Blainslie on 6th April 1547;[6] and on 15th July 1550 William Hall obtained from John Thornton, protonotary apostolic precentor of

[1] *Liber de Melros*, vol. i. p. 81, No. 93.
[2] *Ibid.*, vol. i. p. 82, No. 94.
[3] *Ibid.*, vol. i. p. 83, No. 85.
[4] *Ibid.*, vol. i. pp. 84-5, No. 97.
[5] *Protocol Book of Sir William Corbett* (Scottish Record Society), p. 8, No. 35.
[6] *Infra*, p. 340.

Moray (by letters dated from Rome 2nd October 1549, and directed to encourage and promote the letting and feuing of Church lands destroyed or unproductive by long continued wars between Scots and English), letters of confirmation of a charter, granted 8th March 1546–7 by James Stewart, Commendator of Kelso and Melrose, of the 22s. 3d. land of Nether Blainslie and 11s. 1½d. land and town of Overtown of Blainslie, in which the bounds are very fully described.[1] These boundaries are the same as those appearing in the Charter of Elizabeth Striveling printed in this volume.[2] From the above it will be seen that the lands were held by a number of kindly tenants of the monks. These tacksmen latterly became feuars of the Earl of Haddington. About 1620 the following were 'the fewaris and possessouris of the tounis and landis of Blainslie,' John, George, and Edward Romanuse, Agnes Lylstoune, relict of umquhile Edward Romanuse, Adam and Edward Derlinge, Michael Dicksone, John Thyne, James Greif, Alexander and John Hall, John and Charles Pringle, George and John Davidson, Thomas Lyall, Thomas and John Swonhouse, Hew Hardie, George Gray in Braidwoodshiell, George Pringle of Blindley, Katherine Ker, relict of James Hunter, and Francis Hunter, their eldest son, Thomas Hunter, burgess of Edinburgh, and William Hunter of Williamlaw.[3]

It is impossible to deal with these various small holdings in detail. The descendants of the above persons succeeded generation after generation to the lands until they were gradually bought out and the holdings united into one or more large farms.

The property was finally consolidated in the persons of John Simson and Thomas Simson, whose ancestors had

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[1] *Laing Charters*, No. 569, p. 148.

[2] *Infra*, p. 282.

[3] 'Maister John Home's List of Possessors, etc.'

been farmers in Adinstone, Lauder. These gentlemen sold their estates to the Earl of Lauderdale.

Broadwoodshiels.

The lands of Broadwoodshiels were owned by William Hunter of Williamlaw on 26th June 1606.[1] Margaret Collingwoode, his widow, and James Mure, her second son, were in possession on 10th March 1660.[2] William Ker and his wife, Christian Fisher, had sasine on 1st March 1676.[3] To revert to a slightly earlier date, Mr. Robert Hunter obtained a precept of sasine of the lands from the Earl of Haddington on 29th July 1672.[4] About this time they must have passed into the hands of Mr. John Scott, for on 3rd June 1672 he sold them together with Mosshouses to Francis Scott of Langshaw.[5] On 9th February 1695, Thomas Scott was served heir to his father Francis Scott of Langshaw in these lands.[6] James Nicolson of Trabroun had sasine of them on 13th April 1696,[7] and thereafter they were seemingly owned by Thomas Fairbairn, for we find in the record of the baptism of his daughter Grizell, 21st August 1704,[8] that Thomas Fairbairn is designed of Broadwoodshiels.

Leonard Shafto Orde, eldest son of John Orde of Westwood, Northumberland, and Rosamund Dalgleish, his spouse, had sasine of the lands on 15th July 1789, and having disponed them on 2nd December 1790 to the Rev. Alexander Stevenson, the latter obtained sasine of them on 17th December 1790. On 26th July 1799 Alexander Christie of Grueldykes obtained sasine of the lands on an irredeemable disposition by Mr. Stevenson.

At the present date they are the property of Sir William MacGregor, G.C.M.G., of Chapel.

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[1] *Melrose Regality Records*, vol. i. p. 67.
[2] *Ibid.*, vol. i. p. 280.
[3] *Roxburgh Sasines*, vol. iii. p. 226.
[4] *Ibid.*, vol. ii. p. 384.
[5] *Ibid.*, vol. ii. p. 371, and Lord Binning, Mellerstain Writs.
[6] *Roxburgh Retours*, No. 312.
[7] Lord Binning, Mellerstain Writs.
[8] *Melrose Par. Reg.* (Scottish Record Society), p. 74.

Old and New Roan.

The lands of Old and New Roan lie east of Blainslie and north of Broadwoodshiels. They were in possession of George Pringle prior to 22nd July 1659, when his son, Robert Pringle of Blindlie, obtained a precept of *Clare Constat* in his favour as heir of his father. On 4th and 5th July 1659 Robert Pringle with certain consents granted a charter in favour of William Cranston, portioner of Huntleywood, and Mary Erskine, his spouse, who had sasine on 25th January 1660,[1] and were still in possession on 10th June 1671.[2] They were afterwards owned by James Erskine, who, on 28th April 1720, sold them to James Stirling, who disponed them to James Inglis. Inglis sold them to John Hounam on 30th June 1729, and James Stirling obtained a Charter of Confirmation on 4th March 1732 and purchased various other portions of the lands thereafter. His son, James Stirling, obtained a Charter of Confirmation on 4th July 1801, when he sold them to Donald Cameron, who in his turn sold them on 28th November to Alexander Christie. Christie disponed them on 23rd April 1828 to George Peat. Mr. Peat sold them on 30th December 1829 to John Topper Southwaite. Mr. Southwaite having become bankrupt, they were sold to the Earl of Lauderdale on 7th March 1844.

Milcheside.

The name of Milchesyde has entirely disappeared from the district; probably under the name of the Milsieburn we have the only reference to the ancient holding. The boundaries were as follows:—'From the upper fish pool down by the same rivulet which falls into the said fish pool as far as the great causeway which goes from Lauder towards Birkenside and thence by the same causeway southward to the eastern head of the ditch which the foresaid monks made after our assignation between their land and the land which we have assigned on the south

[1] Lord Binning, Mellerstain Writs.

[2] *Melrose Regality Records*, vol. ii. p. 275.

to our sick and from the said head of the ditch made by the monks along the same westward to the ancient ditch which crosses the place from south to north and thence southward to the head of the same ancient ditch and thence descending obliquely in the direction in which Joceline Lord Bishop of Glasgow and the Cellarer of Melrose perambulated the boundary as far as the rivulet called Mereburn [Marchburn] which is the boundary between the lands of Milkeside and the lands of Blainslei to the great causeway which descends from Windelaw to Lauder and thence by the same causeway northward to the road which runs from it to Milkeside and by that way to the head of the ditch which we had begun before we gave the lands of Milkeside to the Abbey of Melrose and thence to the southern head of the ditch which surrounds the court of the said chapel on the west.'[1] These boundaries show that the lands lay immediately north of the lands of Blainslie and were bounded by 'Cheild lyelis chapel walls.' They were thus latterly included in the lands of Blainslie.

Threepwood.

West of Blainslie are the lands of Threepwood. This is a very ancient holding granted by Alan, the son of Roland, Constable of Scotland, to the monks between 1177 and 1204.[2] In 1180 William the Lion arranged a dispute between the monks and Richard de Moreville, then Constable of Scotland, by which they were to enjoy the rights to the wood and pasturage and also the game.[3] The ground seems to have been gradually cleared of timber and the holding occupied by the monks and their vassals. At the time the lands passed into the hands of the Earl of Haddington they appear to have been in the occupation of kindly tenants of the Abbey, to whom the earl granted feu charters.

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[1] *Liber de Melros*, vol. i. p. 99, No. 109.
[2] *Ibid.*, p. 69, No. 79.
[3] *Ibid.*, p. 100-2, No. 110-11.

Newhouses.

The lands of Newhouses were held by tenants under tacks from the monks, and were known as the Newhouses of Threepwood.

On 2nd December 1620 Thomas, Earl of Melrose, granted charters of Newhouses to John Romanes, John Williamson, and William Dewar.[1] Thereafter John Romanes acquired the greater part of the lands from the other holders, one of whom was Hugh Dods. On 23rd July 1635 Edward Hall obtained sasine on a charter of confirmation by the Earl of Haddington of a portion of the lands.[2]

The three daughters of Edward Hall, Isobel, Catherine, and Marion Hall, and their husbands had sasine of their portion on 14th December 1663.[3] John Lithgow, husband of Isobel Hall, acquired the whole of that portion on 28th April 1679.[4] His son and heir, Edward Lithgow, obtained a precept of *Clare Constat* from the superior on 29th October 1716 [5] and disposed of them on 10th November 1716 to John Hounam. Hounam sold them to James Watherston on 24th July 1721. Thomas Waterston, son of James Watherston, disponed them to Benjamin Scott on 23rd August 1748. James Scott acquired them under the Trust Disposition of Benjamin Scott, recorded 30th December 1772, and sold them to William Romanes, who disponed them on 26th July 1793 to the Earl of Lauderdale, whose successor is the present owner.[6]

Colmesliehill.

These lands known as Cumbesliecnol were granted in feu by the Earl of Bothwell on 1st April 1567 to John Hoy in Combesliehill,[7] who was still in possession in 1607.[8] They appear next to have been in the hands of the Cairncrosses, but on 5th August 1630 there was a Crown grant to Walter Murray of Aikwode and his heirs of the lands

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[1] Earl of Lauderdale's Writs. [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.*
[6] Earl of Lauderdale's Writs and Roxburgh Sasines.
[7] Sir William Fraser, *Earls of Haddington*, vol. ii. p. 268, No. 376.
[8] *Melrose Regality Records*, vol. i. p. 32.

of Colmesliehill, which were resigned by Alexander Hay of Colmesliehill with consent of Elizabeth Hunter, his spouse, William Hunter sometime of Williamslaw, then in Overwood, Andrew Darling in Appletreeleaves called 'Midandrew,' Alexander Hunter of Wrangham for himself and the heirs of James Hunter, minister at Smailholm, his father, Mariot Aikman, widow of said James, and Thomas M'Dowal in Stodrigg, then her spouse.[1]

About the period 1629–33 the owner of Colmesliehill was Alexander Vair.[2] Thereafter these lands were acquired by the family of Innes and passed with Colmeslie to Lady Reay, the present owner.

Colmeslie.

The first mention of Colmeslie in the Chartulary is when Malcolm IV. granted to the monks of Melrose a site in the lower part of Cumbesley to erect a cow-house for one hundred cows and a sheepfold.[3] The name was doubtless derived from St. Colm or Columba, the ruins of a chapel dedicated to him marking a field still called the Chapel Park.[4]

Prior to the Reformation the lands were in the occupation of the Cairncross family. One of these, Nicol Cairncross, a burgess of Edinburgh and one of the 'Kirkmaisters of the confrary and altare of the haly blude,'[5] held grants of various lands.[6] He appears to have had no issue by his wife, Marion Scott. In the charter of the lands of Bakspittaill and Foirspittail in the regality of Broughton and Sheriffdom of Edinburgh, dated 21st April 1536, his brother William is mentioned as next in succession,[7] and in subsequent charters he is designated Cairncross of

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[1] *Great Seal Reg.*, vol. 1620-33, p. 542, No. 1625.

[2] MS. Rental and Valuation, Earl of Haddington, in Teind Office.

[3] *Liber de Melros*, vol. i. p. 6, No. 3.

[4] Wade, *Melrose*, p. 76, and *Berwickshire Nat. Club Transactions*, vol. xiii. p. 196.

[5] *Laing Charters*, No. 338, p. 86.

[6] Edgerstoun Charters.

[7] *Ibid.*, No. 4.

Comesley.[1] The descendants of William Cairncross held the lands for several generations.

The lands next seem to have passed into the hands of James Pringle of Cortleferry, who was succeeded by his two sisters, Marion Pringle, wife of John Hunter of Cousland and Isabella Pringle, wife of Malcolm Inglis of Manorhead, who were served heirs to John Pringle on 17th January 1662.[2] Marion Pringle having acquired her sister's half, her daughters, Helen Hunter, wife of James Pringle of Craigend, and Christian Hunter, wife of Francis Scot, brother to James Scot of Galashiels, obtained a charter from the Earl of Haddington on 7th June 1680.[3] Mr. John Lawsone, 'under clerk to the Lords of seacret counsel,' his spouse, Margaret Wischart, and their son, John Lawson, had sasine on 9th June 1688 of one half of the lands called Cellmuir.[4] James Thomson, merchant, Edinburgh, owned the lands in 1709.[5] William Shortreid of Comeslie is mentioned on 12th January 1753 as being in possession.[6] On 20th May 1772 Margaret and Agnes Shortreid, daughters of William Shortreid of Philogar, have sasine under a bond for £2500 by David Campbell, W.S.,[7] who was evidently then owner. His trustees obtained a discharge thereof on 28th February 1775.[8] Latterly we find the lands possessed by George Innes of Stow, whose daughter was succeeded by Captain Alexander Mitchell. He married Fanny Jane, daughter of Richard Hasler of Aldingbourne, Sussex, and dying without issue left his estates to her. She is now the wife of Donald James, eleventh Lord Reay.

Langshaw. South of Threepwood are the lands of Langshaw. These

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[1] Edgerstoun Charters, Nos. 5 and 12.
[2] *Roxburgh Retours*, 233; *General Retours*, 4535.
[3] *Roxburgh Sasines*, vol. iv. pp. 127, 128.
[4] *Ibid.*, vol. iv. pp. 438-50.
[5] Nisbet, *Plates*, p. 57.
[6] *Ibid.*, vol. xiii. p. 82.
[7] *Ibid.*, vol. xx. pp. 411-16.
[8] *Ibid.*, vol. xxii. fol. 72.

lands were held of the monks who astricted the tenants of Blainslie, Threepwood, Mosshouses, Comeslie, and other places adjoining to have their corn ground at the Mill of Langshaw. Reference is made to an Act of the Court of the Regality, dated 10th April 1527,[1] by Andrew Durie, the abbot, who confirmed the acts of his predecessors ordaining the tenants and others in 'thir eist pairteis' to have their corn ground there. The lands on 27th January 1586–7 were in possession of George Hoppringle, brother german to James Hoppringle of Woodhous, called 'feuar of said Lands,' possibly a holder under a security writ, who at that date claimed his right to thirlage. On 6th May 1600 Charles Cairncross granted a charter of Alienation of these lands in favour of William Cairncross of Colmeslie.[2] After passing into the hands of the Pringles of Whytbank and others, they were acquired by the Earl of Haddington.

Housebyres.

The lands of Easter and Wester Housebyres, known also as Eister and Wester fuird and Eistraick and Wolhousebyres, were among the lands annexed to the Crown at the Reformation, and are found in the grants to the Earl of Haddington on 28th August 1609.[3] Newhousebyre or Wolhousebyres was, however, in possession of Robert Cairncross of Colmeslie prior to February 1573–74,[4] at which date William Hoppringle was tenant. The lands were sold by him to Sir Patrick Murray of Langshaw, eldest son of Sir Gideon Murray of Elibank, who was third son of Andrew Murray of Blackbarony, and who obtained a Crown charter of them on 20th August 1617,[5] when they were called Eistraik and Ouisbyir. On

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[1] *Melrose Regality Records*, vol. i. p. 56.
[2] Edgerstoun Charters, No. 47, p. 377.
[3] *Great Seal Reg.*, vol. 1609-20, p. 51, No. 139.
[4] *Edinburgh Testament Register*, 9th December 1575 and 17th January 1591.
[5] *Great Seal Reg.*, vol. 1609-20, p. 608, No. 1673.

3rd April 1618 [1] there was a Crown ratification of certain burdens payable from the lands, which indicate that James Pringle of Whitebank had previous to that date held the lands, and there followed a new grant in favour of Sir Gideon Murray and his spouse.[2]

After numerous transmissions the lands of Wester Housebyres have become the property of Mr. Robert Shirra Bruce, Thirlstane Mains, Lauder; while the proprietors of Easter Housebyres can still claim descent from the family of Trotter, whose name appears in more than one decreet of the Regality Court.

Fawhope.

The lands of Fawhope were given by William de Lindsay to the convent of Melrose prior to the year 1179.[3] They had previously formed part of the lands of Ercheldune (Earlston), which he had held under Swan the son of Thor.[4] They are described as bounded on the east by the Leader, on the north by the Fauhope burn, now known as the packman's burn and Soroulesfield, on the west by Housbyres, and on the south by the Tweed. We do not find the lands mentioned again in the Chartulary of Melrose, though the burn of that name is frequently referred as a boundary of other lands. They were probably occupied by the tenants of the monks until the annexation of the Church lands to the Crown, after which they again appear in the various Crown grants.

James Stewart, Commendator of Melrose, on 9th December 1602, granted a precept of *Clare Constat* in favour of Robert Dinnant, who obtained sasine of the lands upon the same day.[5] On 2nd September 1751,

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[1] *Great Seal Reg.*, vol. 1609-20, p. 657, No. 1812.
[2] *Ibid.*, vol. 1609-20, p. 669, No. 1854.
[3] *Liber de Melros*, vol. i. p. 11, No. 12.
[4] Raine, *North Durham*, App., p. 38, No. 164.
[5] Writs of the lands in the hands of Dr. Lithgow's representatives.

George Steuart had a Disposition in his favour by Janet Mein, only child of William Mein, portioner of Gattonside, and Isobel Waugh, only child of John Waugh, smith in Brotherstanes.[1] The name Fauchope has in recent years been applied to a small property belonging to the heirs of the late Surgeon-General A. S. Lithgow, which at one time formed part of the larger area bearing that name.

Sorrowlessfield.

The lands of Sorrowlessfield were situated on the west side of the Leader. About the beginning of the thirteenth century, a prolonged litigation began between the monks of Melrose and Patrick, Earl of Dunbar, which, after an appeal to Pope Innocent III. and a remit to the Bishop of Moray, ended in the earl granting to the monks in July 1208—the King confirming the grant—the whole arable land called Sorouelesfield on the west side of the Leader, such as had been held by William Soroueles, who is then first mentioned in that grant, and from whom the lands had derived their name.[2] A confirmation of this grant was made by Alexander II.[3] In the reign of Robert I., Patrick, Earl of Dunbar, confirmed all the previous grants in his dominion, including Sourlesfelde,[4] and David II. confirmed Dunbar's grant on 11th January 1341–2.[5] This was followed by a charter dated 8th May 1400 by George, Earl of (Dunbar and) March confirming previous grants to the monks including all the woods in Soroulesfeilde.[6] Finally there is a confirmation by James I. on 18th April 1433 of the disputes between the monastery and the Earl of Dunbar, and giving the monastery these lands.[7]

On 1st April 1567 the monks granted to Sir John Home

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[1] Writs of the lands in the hands of Dr. Lithgow's representatives.
[2] *Liber de Melros*, vol. i. pp. 87-95, Nos. 101-5.
[3] *Ibid.*, vol. i. p. 159, No. 174.
[4] *Ibid.*, vol. ii. p. 330, No. 365.
[5] *Ibid.*, vol. ii. p. 395, No. 431.
[6] *Ibid.*, vol. ii. p. 490, No. 506.
[7] *Ibid.*, vol. ii. p. 545, No. 546.

of Cowdenknowes and Lady Margaret Ker, his spouse, the lands of Sorolesfield and Park.[1]

On 7th June 1568 the King confirmed a charter granted by Michael, Commendator of Melrose, to Alexander Balfour of Denmylne of the Regality lands.[2]

At the Reformation, when a third of the benefices and the superiority of the lands were annexed to the Crown, these Church lands passed through the same transmissions already mentioned and were finally vested in the Earl of Haddington as superior. Sorrowlessfield now forms part of the estate of Cowdenknowes.

Redpath.

The lands of Redpath were held of the Crown, having been granted by Robert I. to his nephew, Thomas Randolph, Earl of Moray, who bestowed them upon the Abbot and monks of Melrose,[3] to whom sasine was granted on 4th September 1319.[4] This grant was confirmed by Patrick, Earl of Dunbar,[5] and by King Robert I.[6]

The Earl of Douglas, on 17th December 1416, disposed of a dispute between the monks and John the Hage, Lord of Bemerside, in their favour.[7] This was followed by the Earl of Douglas letting the lands 'to borch' to the Abbots of Melrose on 13th May 1418.[8] A Confirmation by the Earl of Douglas of the original grant of Thomas, Earl of Moray, is dated 10th July 1418,[9] and on 13th September 1421 the Earl of Douglas again confirmed the whole lands and marches[10] giving their boundaries. Then followed an excommunication of John Hage of Bemersyde for ignoring the decree of the Earl of Douglas[11] and a judgment of the

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[1] Sir William Fraser, *Earls of Haddington*, vol. ii. p. 267, No. 375.
[2] *Great Seal Reg.*, vol. 1546-80, No. 1819.
[3] *Liber de Melros*, vol. ii. p. 385, No. 422.
[4] *Ibid.*, vol. ii. pp. 386 and 387, Nos. 423, 424.
[5] *Ibid.*, vol. ii. p. 387, No. 425.
[6] *Ibid.*, vol. ii. p. 389, No. 426.
[7] *Ibid.*, vol. ii. pp. 539, 540.
[8] *Ibid.*, vol. ii. No. 541.
[9] *Ibid.*, vol. ii. p. 540, No. 542.
[10] *Ibid.*, vol. ii. p. 541, No. 543.
[11] *Ibid.*, vol. ii. p. 542, No. 544.

Earl of Douglas fixing an assize to perambulate the Marches, in which he gives the boundaries of the lands [1] in the following terms: 'Fra the Chyldwell abone passand wp to the myddys of the Threpleche to the standand stane and fra the standand stane downe the syke to the myddys of the furde of Heldene and swa passand downe the myddys of the burne rynnand about the bra and the dyke the qwylke bra and dyke had qwylum a zete closand and opynnand for the caryage of tymbyr to the byggyng of the house of Dryburgh and swa fra that zete to the Hekkerstane cors.'

On 3rd November 1427 the King confirmed the perambulation made on 16th November 1425.[2] From Dr. Maitland Thomson's Vatican Charters we have obtained the following transmissions: On 5th November 1546: Charter whereby James, perpetual Commendator of the Monasteries of Melros and Calco, and the Convent of the Monastery of Melros, of the Cistercian Order in the diocese of Glasgow (for the augmentation of their rental and for certain sums of money paid to them for the repair and rebuilding of their Monastery recently burned by the English) grant in feu farm to William Andersoun in Reidpeth, a husband land and half husband land of the lands of Reidpeth then occupied by him with pasture in the common of Ersiltoun, lying in the lordship of Melros within the sheriffdom of Berwick, extending in their rental to thirty shillings Scots, four poultry and 1½ 'caragia': To be holden the said William and the heirs male of his body lawfully procreated or to be procreated, whom failing his heirs male whomsoever, whom failing his heirs and assignees whomsoever *de nobis*: Rendering therefor yearly thirty-three shillings and six pennies, Scots, four poultry and 1½ 'caragia' when required, being

[1] *Liber de Melros*, vol. ii. p. 544, No. 545.
[2] *Great Seal Reg.*, vol. 1424-1513, p. 20, No. 106.

an augmentation of their rental to the amount of three shillings and six pence, the heirs doubling the said feu farm the first year of their entry.

At the said Monastery, on 5th November 1546, there is added a provision against alienation, sale, or impignoration of the said lands to any lords, temporal or spiritual or persons of noble birth, and depriving the said William his heirs and assignees, of the right of so alienating, selling, or impignorating, except to inhabitants of the lands of Redpeth and similar persons of inferior condition to himself and that even with the licence and consent of the Commendator and Convent asked and obtained, under pain of amission of the feu and reversion to the monastery.[1] This is followed by Letters of Confirmation by John, Archbishop of St. Andrews, etc., confirming a Feu Charter granted by James, perpetual Commendator of the Monastery of Melros, . . . and the convent thereof, whereby for the augmentation of the yearly rental of the monastery to the amount of Four Shillings and Eight Pence Scots, and in consideration of certain sums paid to them for the repair and rebuilding of the monastery burned by the English, they granted and in feu farm demitted to David Roger in Reidpeth and his heirs . . . two husband lands of the lands of Reidpeth with pasture on the commonty of Ersiltoun, then occupied by the said David . . . furth of which the granters had been in use to uplift yearly the sum of Forty Shillings Scots with six fowls and two carriages: To be holden . . . for payment yearly of Forty-four Shillings and Eight Pence Scots, etc.: at Edinburgh, 9th November 1556.[2] There is also a precept of *Clare Constat* directed by Michael perpetual commendator of the Monastery of Melros to Peter Trottar and James Huntare, bailies in that part, for infefting David

[1] Dr. Maitland Thomson, Transcripts of Vatican Charters, vol. vii. No. 1390.
[2] *Ibid.*, vol. viii. No. 1690.

Roger as heir of his father umquhil David Roger in Reidpath in two husband lands in Reidpath with pasture in the commonty of Ersiltoun . . . to be held of the Monastery in feu farm: at the Monastery 1st December 1564. Witnesses, William Linlithgow of Drygrange, John Blacader, Malcolm Hoppringill and John Broun, notary. Signed Michael, Commr. of Melrose and others.[1]

On 7th June 1568 the King confirmed a charter made by Michael, Commendator of Melrose, to Alexander Balfour of Denmylne of these and other lands.[2] About 1620 the following were the occupiers of the lands: Thomas Linlithgow, Robert Trotter, Burgess of Edinburgh, and his subtenants, William and John Anderson, John Carnecrose, Isobell Richardson, relict of umquhile Johne Roger, and —— Rodger, Andro Home, and Isobell Haistie, relict of John Bell, and her son.[3]

In closing this brief Introduction, the Editor desires to acknowledge his indebtedness to the noblemen and gentlemen who have so kindly supplied the manuscripts and documents now printed; to Dr. Maitland Thomson and Mr. Curle, who revised the proofs, Mr. Henry Paton, M.A., who transcribed the manuscripts, Miss M. G. Edgar, M.A., who has assisted the Editor in searching the Records and in the preparation of the work for the press, and Mr. Alexander Mill, of the Signet Library, who has prepared a valuable Index to these three volumes of records.

CHARLES S. ROMANES.

1st December 1916.

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[1] Dr. Maitland Thomson, Transcripts of Vatican Charters, vol. ix. No. 1970.

[2] *Great Seal Reg.*, vol. 1546-80, No. 1819.

[3] 'Maister John Home's List of Possessors, etc.'

COURT BOOKS AND ROLLS OF THE REGALITY OF MELROSE, 1682-1684

'Att Melrose the fourth day of March j^{m} vj^{c} and eightie tua yeires'—

Which day George Pringle of Blindlie, bailie-depute of the regality of Melrose, sitting in judgment, gave and delivered to John Lithgow in Melrose, notary public, to read in face of court a Gift and Commission, under the great seal, of the office and jurisdiction of bailiary within the said regality, granted by his Majesty to Robert, Earl of Roxburgh, Lord Cesfoord and Cavertoune, etc., with power to appoint deputes, clerks, etc., during his Majesty's pleasure, dated at Whitehall, 19th January 1682; also a Deputation and letter of bailiary granted by the said Earl to the said George Pringle to be bailie-depute during his Lordship's pleasure, dated at Edinburgh, 13th February 1682; and a missive letter and warrant from the Earl to him to choose his own clerk, dated at Edinburgh, 14th February 1682; and conform thereto he chose the said John Lithgow to be his clerk, and commanded him to fence the court, who did so in name of his Majesty, the Earl and bailie-depute. Compeared Robert Faa, late bailie of the regality, and protested as factor and chamberlain to the Earl of Haddington that the keys of the tolbooth of Melrose might not be taken out of the town of Melrose but left 'in some honest mans hands liveing ther' to be forthcoming for the use of the said Earl and his factor 'when evir they had to doe therwith,' and took instruments in the hands of the said John Lithgow. Also compeared Thomas Wilkiesone, late clerk of regality, and protested that the said John Lithgow 'had wrongouslie intruded himselfe in his office of the clerkeshipe by sitting and fencing of a court that day, notwithstanding the said

Thomas' gift of the clerkship *ad vitam aut culpam* from the deceased John, Earl of Haddington, heritable bailie of the regality; but the bailie-depute answered that the said protestation was in effect against the King's gift to the Earl of Roxburgh and the Earl's deputation to the bailie-depute, and besides the said Thomas Wilkieson 'could neither show nor produce' the gift *ad vitam aut culpam,* and though he should yet he offered to prove by the said Thomas Wilkieson's oath that the said gift was long since recalled by Charles, now Earl of Haddington, and that he was necessitated to accept of another commission or tolerance from the said Earl to continue in office during pleasure only; and as the said Charles, Earl of Haddington's heritable office and jurisdiction of bailiary is now fallen in his Majesty's hands through his Lordship's not taking the Test in due time, any former gift or tolerance from the Earl falls likewise therewith; so the bailie repelled the protestation, and thereafter administered the Test in the prescribed manner to the said John Lithgow, who in turn administered the same to the bailie-depute. Thereafter the bailie-depute chose Archibald Frier in Coblehouse to be his procurator-fiscal, and the clerk administered the Test to him; and they all sealed and subscribed the same in judgment, and the bailie-depute ordained the same to be registered in the court books of the regality. [Here follows the Test.] '*Sic subscribitur,* Geo. Pringle; Jo. Lythgow, cls.; Archibald Frier.'

Melrose, 20 March 1682

Which day the bailie-depute and clerk gave their oaths judicially for faithful administration, and thereafter the rolls of the head court being thrice formally called over, the bailie fined each person, who being thrice called failed to compear, in 50 l Scots and issued precepts thereupon.

Melrose, 25 March 1682; George Pringle

Which day action at the instance of Archibald Frier, procurator fiscal, against 'the haill delinquents and per-

sones irregular'[1] within the regality, conform to a roll thereof, for transgressing the Acts of Parliament by frequenting house and field conventicles and withdrawing from their parish church, since the Act of Indemnity, whereby they are liable to specified fines. The fiscal compearing, there also compeared personally William Bell, James Mosse, and Andrew Chisholme, in Ridpeth, and Robert Mertone in Gattounsyde, who are absolved, the latter offering to depone, and asserting that he was orderly, while the first three produced a testificate by Mr. John Hepburne, their parish minister at Ersiltoune, that they were very orderly and constantly attended the parish church; and the rest of the defenders being absent were held as confessed, and fined according to their degree, in terms of the Acts of Parliament.

Melrose, 25 April 1682; George Pringle

Which day action by Robert Whyte, officer, and the fiscal for his interest, against John and Thomas Bell, weavers in Melrose, narrating that 'yesternight about elevine acloake at night or therby the said Robert Whyte persewer haveing gone to the tolbuith of Melrose to visite the prissoners laid in ther by the Laird of Meldrum and to sticke and lock in the saids prissone doors securlie that none of them might escape, the saids defenders being lying in waite for the persewer presentlie followed him up the tolbuith stairres and whensoevir he had oppened door they fell upon the persewer, with some uthir of their complices under cloud of night and violentlie thrust the persewer from the door, and did pull out, at the least offerred violentlie to pull out one of the saids prissoners, quherupon the said persewar, conforme to his dewtie and office, commandit the defenders in the Kings name to keep off and baite them from the said door with his staffe to that effect, and the defenders were so farr from obeying or giveing dew reverence or subjectioune to the persewers authoritie as jevellar to the saids prissoners, he being stricklie com-

[1] See pp. 22 to 45.

manded by the said Laird of Meldrume not to suffer any persone to entir into or come out of the said tolbuith untill the morrow, yett the saids defenders most furiouslie againe did asault the persewer and tooke his stalfe from him quherwith he wes defending himselfe and disgracefullie in high contempt of authoritie broke it into peices and raged and shouged the persewer by the armes and drew him from the said tolbuith doune throw the haill casa and street the lenth of James Edgars house with many opprobrious speeches, such as rascall and villane, quherthrow the saids defenders are guilty of most hineous ryot' and ought to be fined and otherwise punished. Both parties compearing, the pursuer referred to the defenders' oaths, and Thomas Bell deponed 'that he haveing gone in with leave to visite the prisoners and when he was comeing out againe he would have had James Broune out with him and tooke him by the arme to draw at him to come out twysse, but Robert Whytte resisted him and hinderd to take James Broune out, and that he did not sie the staffe broken betwixt his brother and the said Robert Whytte but he beleaves it wes broken in the stairre head'; and John Bell deponed 'that he came up the tolbuith stairre to bring out his brother Thomas Bell, and the said Robert Whytte haveing baitten him twysse off with his staffe he tooke the staffe from him and broke it, but gave him no farder offence, and that the said Robert Whyte followed and persewed them doune the streitt and caused some of Meldrums gentlemen apprehend them.' The bailie ordains John Bell to pay to the fiscal 20 ł. and Thomas Bell to pay 30 ł. of fine.

Melrose, 29 April 1682; George Pringle

Which day action at instance of George Ogilvye, procurator fiscal to the justices of peace in the sheriffdom of Roxburgh and other shires adjacent, against Robert Bunzie, mason in Newstead, and John Hunter, shoemaker in Melrose, for his interest, to make forthcoming to him 800 merks due by Bunzie to the said John Hunter, and arreisted in his hands on 25 July 1681, at least so much thereof as will satisfy the sum of 300 merks contained in a

decreet obtained at pursuer's instance before Adam Urquhart of Meldrum, John Riddell of Hayning and William Elliot of Dunlabyres, three of his Majesty's justices of peace specially nominated by the Privy Council for the shire of Roxburgh and others adjacent, against the said John Hunter in Melrose, David Gibsone there and James Patersone in Newtoune, for keeping and frequenting house and field conventicles and baptizing and marrying disorderly, and who by their bond, dated 1st May 1679, obliged themselves under a penalty of 100 merks each to compear before the Lords of Council when required, but failing therein were decerned to pay the said penalty. The said pursuer compearing by Archibald Frier, his procurator, and the defenders being both absent, the bailie decerns as craved.

Melrose, 24 June 1682; George Pringle [who hitherto styled himself bailie-depute, but now and henceforth is styled bailie principal of the regality].

Which day action by Archibald Frier, fiscal, against Robert Bunzie, mason in Newstead, and John Hunter, cordiner in Melrose, for his interest, for making forthcoming 500 merks due by Bunzie to Hunter and arreisted for satisfaction of 335 ℓ Scots contained in decreet, 25 March last, at the pursuer's instance before the bailie of regality of Melrose against said John Hunter for withdrawing from his parish church, attending conventicles, and disorderly baptisms. Defenders absent, decerns as craved.

Same day action by John and William Lithgow for themselves and as factors for David and James Lithgow, all lawful sons and executors to deceased James Lithgow of Drygrange, against Thomas Wilkiesone, late clerk of regality, who in 1662, 1663, 1664 or 1665 did borrow from their father the whole Acts of Parliament of this realm from the first Parliament held at Perth by King James I. on 26 May 1444 [*sic*], to the first Parliament held by his Majesty and the Earl of Midletoune, his Commissioner, at Edinburgh in 1661, inclusive, bound up in two books in folio 'with fyne broads,' containing *de verborum significatione* at the end of the said books, and which were new,

whole and entire when lent by their father to him and are worth 100 l Scots; which he ought to restore to them (as having only and undoubted right thereto) in as good condition as they were when lent to him, or pay the worth thereof as above. Both parties compearing, the defender denied the claim, and alleged that the pursuers produced no active title and no intimation of concurrence from the rest of the pursuers. The pursuer opponed 'the forsaid lyble bearing a licence from the commissar to persew the defender *usque ad sententiam*'; and on 8th April the bailie ordained the defender to exhibit the books in his hands or in the hands of any neutral man in Melrose, after which the bailie would hear both parties before delivery; but that day the defender was absent, and is held as confessed, and ordained to deliver up the books to the pursuers as required or pay 100 l as the value thereof, with 20 l of expenses of plea.

Melrose, 26 August 1682; George Pringle

Which day action by John Lithgow, clerk of regality, against Thomas Wilkiesone, late clerk thereof, narrating that whereas the pursuer ought to possess the emoluments, benefits and profits of the office and have the custody of the old registers of the court and all other papers, processes and deeds connected therewith, so as to be able to give out extracts when required, notwithstanding hereof the defender retains the same and moreover does daily give out extracts of records in his custody and receives in any that come to his hand to be registered and antedates the incoming of them, thus rendering the office unprofitable to the pursuer or any other clerk. He ought therefore to deliver up the same and account for his intromissions since the office lapsed. Both parties compearing, the defender refused to make exhibition, and alleged that the Earl of Haddington ought to be summoned for his interest, to which the pursuer opponed his libel; whereupon the bailie decerned the defender to deliver as above upon oath, and also upon oath make account of the monies received by him for giving out extracts and registering deeds.

Melrose, 2 September 1682; George Pringle

Which day action by Archibald Frier, fiscal, against Alexander Scott, portioner of Blainslies, for transgressing the Acts of Parliament against reset of rebels by setting to William Spotswood, 'rebell and declaired outlaw and fugitive,' this twelvemonth bygone and more a house and yard, wherein he has dwelt peaceably until now. Both parties compearing, and the charge being denied, the pursuer adduced (1) George Moffatt in Blainslies, who deponed 'that he heard the said Allexander Scott confesse that he sett ane coatt house to the said William Spotswood and that he should have fourtie shillings Scotts of maill for it in the yeir'; (2) John Wallace in Blainslies deponed as above; (3) James Turner there deponed 'that he heard Robert Whytte take him witnes of something betwixt him and the said Allexander Scott but knew not quhat it wes, and that the said Allexander sett the land to him but reserved that coatt house to himselfe.' The bailie finds the charge proved and decerns the defender to find caution in 500 merks to present William Spotswood to the said bailie, and to remain in prison till this caution is found.

Melrose, 15 December 1682; George Pringle

Which day action by John and William Lithgow, for themselves and for David and James Lithgow, all lawful sons and executors of deceased James Lithgow of Drygrange, against Andrew Hiettoune, portioner of Darnike, and Thomas Wilkiesone, late clerk of regality, for his interest, narrating decreet, 24 June last, against Wilkieson, whereupon they caused Francis Pringle, officer, on 4 December instant, arrest in Heiton's hands 200 l or thereby due by him to Wilkieson. Defenders absent, the bailie decerns them to make forthcoming 100 merks contained in a Bond by Hieton to Wilkieson.

Melrose, 3 February 1683; George Pringle

Which day action by Archibald Frier, fiscal, against Andrew Mair, portioner of Gattonside, Thomas Hallywall

there, John Hoy there, Thomas Mathesone there, Archibald Frier, weaver there, James Frier there and his wife, Robert Clerke, merchant there, and John Wright, smith there, narrating that the pursuer obtained decreets against said Robert Clerk and John Wright for 245 l. Scots, and thereupon arreisted in the defenders' hands all sums due by them to the said Robert and John. Defenders all compearing, pursuer referred to their oaths, and John Hoy deponed he owed only 20 l. to Clerk and knew not what interest, and owed nothing to Wright; James Frier deponed 50 merks due by bond to Clerk, with some interest, and nothing to Wright; Andrew Mair craved to advise with his oath till next court day; the rest deponed negative to all. Decerns and absolves accordingly.

Melrose, 19 May 1683; George Pringle

Which day action by Andrew Chisholme, portioner of Darnick, and the procurator-fiscal for his interest, against Robert Halliwall, portioner of Darnick, narrating that the pursuer was in peaceable possession 'of the thrid cavell of Highcroce and Bankyaite and six butts in Coatburne thir thrie yeires bygane quhich fell by cutt and cavell to him conforme to the contract of divisioune conveined theranent amongest the haill fewars in Darnicke with consent of the Erle of Haddingtoune ther superiour therof,' and accordingly on 1st May instant was tilling and labouring 'ane rig of the said fourth pairt of the said thrid cavell of Highcroce and Bankyaite' and 'seadfurrowing the samyne with his pleugh' when the defender came about 2 or 3 p.m. and stopped his plough by striking and beating the horses, and took the horses by the head and would not suffer them to go forward, whereupon the pursuer protested and took instruments in the hands of Thomas Wilkiesone, there present; and for this riot he should be fined and punished, and also be decerned to pay 100 l of penalty contained in the said contract of division. Both parties compearing, defender denied, but pursuer opponed the instrument of interruption, and referred also to defender's oath, who confessed; so decerns him to pay 50 l. to the

fiscal for the said riot, and 10 l. to the pursuer for damage and cost, and discharges him to interrupt the pursuer's possession in time coming.

Melrose, 9 June 1683; George Pringle

Which day action by the procurator-fiscal against Robert Lies in Whitlaw, and John Leathane his servitor, narrating decreet, 26 August last, at pursuer's instance against Leathane for 100 l Scots, whereupon James Wauch, officer, on 8 June instant arreisted in the hands of Robert Lies all fees, bounty, nolt, sheep, or other goods either due by him to Leathane or pasturing on his ground or in his custody. Robert Lies compearing deponed he was owing to Leathane 10 l. and there were 16 sheep of Leathane's pasturing on his ground, but nothing else of his. The bailie decerns him to make forthcoming the said 10 l. and 16 sheep or half-a-crown apiece for them, extending to 34 l. Scots.

Melrose, 23 June 1683; George Pringle

Which day action by procurator-fiscal against Andrew Chisholme, Andrew Merser, Andrew Renneldsone, and Walter Dalglish, portioners and sworn men in Darnick, narrating that they 'have all withine this twelve moneth or therby broken and tealled severall places in the common ground of the lands of Darnicke,' each of them thereby damnifying the town in 100 l. Scots, which they ought to pay, with the fines contained in the Act of Parliament. Both parties compearing, and the defenders confessing, decerns each to pay 50 l. of fine.

Same day action by the fiscal and the foresaid persons, sworn men in Darnick, against John Uschar, portioner there, and William Mosse, weaver there, the former of whom 'withine this twelve moneth or therby hes at his oune hand without any consent or allowance of the rest of his neighbours in Darnicke houked ane seugh throw the loaning plaine doune allongs to the burne againe quhilk is tua ells deip and more and quhilk endangers the

persewars haill bestiall that constantlie pastures therabout everie uthir day, so that it is impossible for them to stop [? step] it and if they happine to fall into it as in all probabilitie they cannot escape, they will not nor can not recover themselfes and so breake ther neckes ' ; and the said William Mosse has also at his own hand without consent of his neighbours ' cutted the common ground of Darnicke lyand at the head of Ma^e^quarrye and hes houked ane seuch westward therfrae to the syke called Coallyears boignesyke, and also hes castine the said syke at his oune hand without libertie of the said toune withine the common ground.' They have thus by their intrusion damnified the town of Darnike in 100 l. each, which they ought to pay, and the fines contained in the Act of Parliament, and be decerned to refill the seuchs as they were before. Both parties compearing, Ushar confessed but alleged that the pursuers had done the like, who answered that for what they had done they were presently already fined ; and Mosse confessed he had ' castine ane seuch about the lenth of ane pleugh to turne upon.' Decerns each to pay 50 l. of fine, but continues the filling up of the seuchs and modification of costs till the bailie visit the seuchs.

Melrose, 30 June 1683 ; George Pringle

Which day action by Mr. James Borthwicke of Stow against George Turner, tenant in Colmslie, and Francis Scott of Colmslie for his interest, narrating Bond by deceased Patrick Scott, writer in Edinburgh, dated 3rd and 8th October 1678, corroborating his Bond, 7 March 1679 [*sic*] to deceased James Borthwicke of Stow, the pursuer's father, for 200 l. Scots, with 40 l. of penalty, registered in the Books of Council and Session, 5 February 1677 ; to which Bond the defunct made the pursuer his assignee, and the said Patrick Scott, with the said Francis Scott as his cautioner, obliged himself to pay the debt to the pursuer, and the Bond of corroboration is registered in the said books, 4 August 1679. Thereupon the pursuer caused Mark Henderson, messenger in Lauder, on 28 June 1682, arreist in Turner's hands 1000 merks due by him to

said Francis Scott for his last Martinmas rent of the lands of Colmslie and Whitsunday and Martinmas rent next thereafter. Pursuer compearing by John Bunzie his procurator and defender by John Hallyday his procurator, the defender's procurator craved inspection of the libel, and next court day being called and defenders absent, held as confessed, so decerns to make forthcoming as craved.

Melrose, 27 June 1683; George Pringle

Which day action by the procurator-fiscal against Robert Frier in Gattonside, to make forthcoming 300 merks arreisted as due by him to each of Robert Clerke, merchant in Gattonside, and John Wright, sometime smith there, against the former of whom the pursuer obtained decreet for 300 l and against the latter for 200 merks. Defender confessed owing Wright 100 merks by Bond, but had paid 5 l. Scots thereof, and owed Clerk only 10 l. and could depone as to nothing else till accounting, which is allowed; meantime the bailie decerns him to make forthcoming 61 l. 13 s. 4 d. due to Wright and 10 l. due to Clerk.

Melrose, 21 July 1683; George Pringle

Which day action by Thomas Kyll, wright in Lessudden, and the fiscal for his interest, against James Brydden, portioner there, narrating that the pursuer was tenant to the defender 'thir six yeires bygane of six butts of land lyand one the south syde of the toune of Lessudden called the Long Croft butts, and haveing reapt the last cropt thereof and being in peacable possessioune of the samyne, yett the said defender at his owne hand without any wairneing usit against the said persewer or decreitt of removeing obtained at the defenders instance against the persewer theranent betwixt Michaelmes and Mertimes last entred to the possessioune of the saids six butts and hes pleughed the samen and refuses to let the persewar be reponed to the possessioune therof notwithstanding the said persewar never quyte with or gave over the samyne to the defender at any tyme.' Pursuer compearing by

John Bunzie his procurator and defender by John Hallyday his procurator, and the case being called again on 26th May, 2nd and 9th June, the defender's procurator alleged there was no intrusion because the defender was heritor of the ground and had set no tack either verbally or in writing, nor did the pursuer object against the defender at the time of the intrusion; but the pursuer's procurator affirmed that seeing the tenant was seven years in unbroken possession, the defender, though heritor, ought to have given legal warning or entered only with the pursuer's consent. Decerns Brydden to pay 50 l. Scots of fine to the fiscal for the intrusion.

Melrose, 23 August 1683; George Pringle

Which day action by the procurator-fiscal against Janet Meine, widow of Alexander Uschar in Melrose, and George Blaikie there, and Andrew Tunno, portioner there, for his interest, narrating decreet, 11 August instant, at pursuer's instance against Tunno for 200 l., whereupon James Wauch, officer, on 21 August instant, arreisted all sums of money and goods due by or in the keeping of the said Janet Meine and George Blaicke, belonging to the said Andrew Tunno. Both parties compearing, Janet Meine confessed 'ane large capper [*sic*] caldron belonging to the said Andro Tunno' in her possession at the time of arreistment, 'but that Baillie Faa had caused take it from hir this morneing'; and George Blaikie confessed he pays to Tunno the third and teind of his corn of all sorts growing on the lands belonging to Tunno and possessed by him. The bailie decerns Janet Meine to make forthcoming the caldron or 50 l. Scots as the worth thereof, and George Blaikie, to deliver the third and teind, or 100 l. Scots as the modified worth thereof.

Melrose, 18 August 1683; George Pringle

Which day action by James Petter, W.S., against George Turner, tenant in Colmislie, and Francis Scott of Colmislie for his interest, narrating Bond by the latter to the pursuer, dated 2 February last, for 84 l. Scots of borrowed

money, and 20 l. expenses, and registered in Sheriff Court Books of Edinburgh, 15 June last; whereupon William Smith, messenger in Lauder, on 13 August instant, arreisted in Turner's hands all debts, rents, and duties owing by him to Scott. Pursuer compearing by John Bunyie his procurator, and defender personally, the latter denied owing anything to Scott at time of arrestment but confessed he would be liable to him half a year's rent at Martinmas next, being 200 merks. The bailie decerns to make this forthcoming, superseding execution till Martinmas, and allowing Mr. James Borthwicke of Stow, who has obtained the first decreet of forthcoming against the defender, to be first paid.

Melrose, 13 October 1683; George Pringle

Which day action by the procurator-fiscal against Robert Fairnebairne, tenant to David Denholme, portioner of Ridpeth, and the said David Denholme for his interest, narrating decreet, 3 May 1682, at pursuer's instance against Denholme for 100 l. Scots, whereupon James Wauch, officer, on 12 October instant arreisted in Fairbairn's hands 24 bolls of ferme bear and all other duties and sums of money resting by him to Denholme. Parties compearing, the defender confessed that he pays 19 bolls of ferme yearly for his lands, between Yule and Candlemas. Decerns to make forthcoming the said 19 bolls now in his hands.

Melrose, 20 October 1683; George Pringle

Which day action by the procurator-fiscal against Andrew Fischer of Wester Housebyres, and William Ker of Broadwoodsheill for his interest, narrating decreet on . . . August last at pursuer's instance against said William Ker and Elizabeth Fischer his spouse for 200 l. Scots of fine imposed on him for his wife's irregularities, whereupon James Wauch, officer, on 15 October instant arreisted in Fisher's hands 500 merks due by him to Ker. Defenders absent, held as confessed, and decerns to make forthcoming the sum of 200 l. charged for.

Melrose, 3 November 1683; James Dowglasse, bailie-depute to George Pringle of Blindlie.

Which day action by Mr. John Hepburne, minister at Ersiltoune, against Robert Patersone, tenant in Craigsfuird, narrating that Mr. James Daes of Coldingknowes' lands of Coldingknowes and Coldingknowesbyres and his lands of Craigsfuird are liable in payment to the parson of Ersiltoune 36 l. Scots, and the vicarage teinds are due to the pursuer for the last five years; and whereas the said Robert Patersone has been tenant to him in Coldingknowesbyres for the said five years and is presently tenant to him in Craigsfuird, and is resting to Daes for rent much more than the said 15 l. sterling due to the pursuer, yet he refuses to make the same forthcoming. Pursuer compearing by Archibald Frier his procurator, and defender personally, it was referred to defender's oath, who refused to depone, so decerns to make forthcoming 180 l. due of vicarage teinds for said 5 years, and also yearly in time coming during his tack of the said lands the said yearly duty of 36 l. Modifies 20 l. expenses of plea.

Same day action by James Mosse, elder, mealmaker in Ridpeth, against Andrew Merser, 'Wynd,' in Darnicke, for 34 l. Scots as the price of 2½ bolls and a peck of oatmeal bought from the pursuer at Whitsunday last, to be paid at Midsummer. Pursuer compearing by James Mosse, younger, his son, and defender personally, the latter denied receiving any meal but one boll, but being given a day to prove this he absented himself; so decerns as craved, with 5 l. expenses of plea.

Melrose, 1 December 1683; George Pringle

Which day action by said James Mosse against Mary Tunno, widow of Charles Watsone, portioner of Ridpeth, for 21 l. 10 s. due by defunct to him for a boll of oatmeal and 30 threaves of oat straw bought about four years ago, and half-a-crown of money borrowed at that time, and 100 merks of principal with 10 l. of penalty due by defunct's bond to him, 12 June 1680. Pursuer compearing by James

Mosse, younger, his son, but defender absent, held as confessed, and decerns for the sums craved; with 12 l. [?] expenses.

Melrose, 5 January 1684; George Pringle

Which day action by James Cairncroce in Herriot toune against George Turner in Colmislie, Thomas Hardie and William Davidsone, tenants in Over Langshaw, and Francis Scott of Langshaw for his interest, narrating Bond, 12 February 1677, by Scott to the pursuer for 70 l., with 10 merks of penalty, registered in regality books on 9 June last, with decreet upon which James Wauch, officer, arreisted on 17 June last in the hands of each of the defenders 100 l. Scots due by each of them to Scott. Pursuer compearing by John Bunyie his procurator, and defenders all absent, decerns as craved.

Melrose, 19 January 1684; George Pringle

Which day action by John Fratter, portioner of Langhaughe, against Barbara Cairnecroce, widow of Mr. William Duguid, portioner there, narrating that the pursuer stands infeft 'in all and haill these parts and portiones of the lands of Appletreeleaves and Langhaughe lying beneath the high streitt that lyes east and west betwixt Ladupburne and Dryburne,' with houses, yards, meadows, pasturage and whole pertinents, as the same have been possessed by William Wilsone and his tenants 'and disponed be [? to] him be George Bell in Ridpeth,' the pursuer's sasine produced being dated . . . October 1659; and he caused James Wallace, son of George Wallace in Melrose, execute precept of warning against said Barbara Cairncroce to remove from these houses and yards in Langhaughe presently possessed by her and William Wilsone her tenant; but she refuses. Pursuer compearing by himself and Archibald Frier his procurator, and the defender 'compearing also personallie by Johne Bunzie hir procurator,' the latter's procurator on 27 October craved a double of the libel, and found Elizabeth Duguid, second lawful daughter of said Barbara, cautioner for the violent

profits; and the case being called on 3, 10, 17 and 24 November 1683 and defences and answers heard and considered, the bailie on 1 December ordained the pursuer to prove that the houses and yards libelled are a proper part and pertinent of the subjects in his sasine, who on 8 December opponed a contract of division of the said lands of Appletreeleaves and Langhaughe now lying in the clerk's hands for the bailie to advise, and on 2 January 1684 adduced the following witnesses to prove that the subjects libelled are part of the middle third of Appletreeleaves and Longhaugh, viz. William Wilsone, elder, weaver in Langhaughe, married, aged 70, who deponed positively as above; William Wilsone, younger, his son, married, aged 33, who deponed the same; John Pringle there, married, aged 40, who deponed 'that he knowes that the houses and yairds lybellit belonged to the deceast John Fratter called Lyken and that he tooke and possessit one of them frae him for a yeir'; James Wilsone in Galashiels, married, aged 50, deponed '*ut supra*'; Archibald Wilsone there, married, aged 40, deponed 'that he knew that the houses lybellit belonged to the said deceast Lyken and that he sett them allwayes and uplifted the mailles and dewties of them.' These the bailie finds prove that the subjects are part of the said 'Midlethrid,' and so decerns the defender to remove.

Same day action by William Cuicke, merchant in Melrose, against Walter Ker, merchant there, who about Martinmas last bought from the pursuer 19 stone 9 lb. weight of iron and promised to pay 32 s. Scots per stone therefor on the Saturday after Martinmas, otherwise 34 s. per stone, and gave the pursuer four rix dollars of earnest; and seeing he has broken the first condition, he owes him (deducting the dollars) 21 l. 13 s. 4 d. Both parties compearing [the defender evidently objected that he was not duly summoned, but John Leitheid, officer, answered that he summoned him to two diets, and this was the second], the defender confessed receipt of the whole of the iron except 4 lb., which the pursuer having referred to his oath

he deferred to the pursuer, who deponed conform to his claim; so decerns the defender to pay the balance craved, with 3 l. expenses.

Melrose, 2 February 1684; George Pringle

Which day action by Thomas Kyll, wright in Lessudden, tutor testamentar to James Hunter, heir male and nearest of kin to deceased Thomas Hunter, portioner of Lessudden, against Andrew Hiettoune in Lessudden, to whom the pursuer about four years ago set in tack 'thrie quarters of these lands in Lessudden quhilk pertained to the said umquhill Thomas Hunter,' for payment of 9 bolls of ferme bear yearly, with all teind duties; and accordingly the defender paid to the said tutor the whole yearly duties except last crop and year 1683, which he refuses to pay. Parties compearing, the defender denied taking any land from the pursuer, who referred it to defender's oath, who refused to depone 'and said he wes content to make payment of the ferme,' and the pursuer deponed conform to the claim; so decerns the defender to pay 9 bolls of ferme bear for crop 1683, or 5 l. for each boll thereof, with 5 l. expenses.

Melrose, 23 February 1684; James Dowglasse, bailie-depute

Which day action by Thomas Pringle in Laidlawsteall against James Merser, portioner of Newstead, to whom about three years ago last Martinmas the pursuer set in tack 4 acres of land 'with that peice of pendicle land called Plumbars land in Newstead' which belonged to James Meine in Laidlawsteall, father-in-law to the pursuer, for yearly payment of 11 firlots of ferme bear for the 4 acres and 50 s. yearly for the Plumbars land; and accordingly the defender is resting to the pursuer 'thrie yeires ferme bear bygane of the saids four aikers of land, and six [*sic*] yeires maill and dewtie of Plumbars land, the first yeires ferme being at six punds the boll conforme to that yeires fiar of the yeir, and the second yeires ferme at ten punds money forsaid the boll, and the thrid and last yeires cropt

and ferme at uthir six punds the boll, quhilkes thrie yeires fermes are eight bolls of bear and a furlott at the respective pryces forsaids with six fyftie shillings does extend to the soume of seventie fyve punds ten shilling Scotts money'; and as the defender also promised to pay to the Earl of Haddington or his factors the whole feu and teind duties, kayne and carriage due yearly from the said lands, he ought to report discharges thereof to the pursuer or make payment of the dues to him. Pursuer compearing, with Robert Leadhouse his procurator, and defender compearing, with John Bunyie his procurator, the latter, on 8 December 1683, denied the ferme bear but confessed that the defender possessed the land for the years libelled, and acknowledged the 50 s. yearly for Plumbars land, but denied undertaking to pay duty to the earl; on 15 December pursuer was to adduce witnesses but craved another diet, and the case being called on 2 February and 9 February and 16 February the bailie this day circumduced the terms of probation against the pursuer, who had adduced no witnesses, and absolved the defender, reserving action to the pursuer against the defender for the accustomed silver maill and duty of the lands and for reporting discharges as above, and ordains him to reform his libel for that effect.

Melrose, 1 March 1684; George Pringle

Which day action by Francis Scott of Langshaw against Walter Cairncroce of Allanshawes, narrating that the pursuer upon a precept of arreistment against James Mertoune, late tenant in Allanshawes, caused James Wauch, officer, arreist in Cairncroce's hands all corn, oats and bear, corn and straw, growing and standing upon the ground of Allanshaws and pertaining to said James Mertoune, until the said James should find caution to answer the pursuer as law will, he being addebted to the pursuer in 6 firlots of shealling with a boll of knaveship bear meal for the double multures and knaveship of 40 bolls of oats abstracted from the pursuer's mill of Langshaw, 'extending tua bolls and a halfe of oattmeall at eight punds the boll,

inde twentie punds Scotts money.' The pursuer compearing by John Bunyie his procurator, and defender being absent, he is held as confessed, and decerned to make forthcoming the said 20 l., superseding extract for eight days; and the case being called on 8 April, the bailie ordains the decreet to be extracted.

Melrose, 29 March 1684; James Dowglasse, bailie depute

Which day action by George Hamiltoune, tailor in the Park in Liddesdaill, against Thomas Merser, tenant in Appletreeleaves, and William Wilsone, younger, litster in Langhaughe, and Barbara Cairncroce, widow of Mr. William Duguid, portioner of Appletreeleaves, for her interest, narrating Bond by said Barbara Cairncroce and Barbara Duguid her daughter, to Marion Hamilton, widow of William Herriot in Uggstone, for 100 merks of principal and 12 l. penalty, registered in Books of Council and Session, 21 September 1682, and Assignation by said Marion Hamilton to the pursuer, and letters of horning whereupon Andrew Phaupe, messenger, arreisted in the hands of the defenders 100 l. Scots due by each of them to said Barbara. Pursuer compearing by John Bunyie his procurator, and William Wilsone, one of the defenders compearing, but none of the others, Wilson confessed only 7 l. 10 s. for half a year's rent and duty of the houses and yards possessed by him; which the bailie decerns him to make forthcoming, and decerns the rest to pay the sum of 100 l. arreisted.

Melrose, 29 April 1684; James Dowglasse, bailie depute

Which day action by James Wauch in Melrose against Helen Wallace, widow of Andrew Patersone, weaver in Danzieltoune, for 40 l. Scots as the price of 'ane kow with hir first calfe' wrongfully intromitted with by her about eight years ago, and 20 l. of damage to him 'throw the want of hir milk and the product of hir broad.' Pursuer compearing personally, and defender by John Bunzie her procurator, the latter on 16 February gave in defences, alleging that the defender's intromission was just, as it

proceeded upon a registered submission and decreet arbitral between her and the pursuer for a certain debt owing by him to her and a registered comprising following thereupon; and the case being called on 23 February and 1 March, and avisandum craved, the bailie on 22 March ordained the defender to instruct in writing how she legally poinded the cow, who on 29 March produced a precept of poinding with executions and an apprising; and on 5 April the precept of poinding was given back to George Blaickie in Melrose, 'who gave the samen at first to be producit'; and this day the bailie finds that the defender legally poinded the cow, so absolves her from the whole claim.

Melrose, 5 April 1684; [1] James Douglasse

Which day action by John Fratter, portioner of Langhaughe, against Barbara Cairncroce, widow of Mr. William Duguid, portioner of Appletreeleaves, narrating that pursuer obtained decreet, 19 January last, against her to remove from these houses and yards in Langhaughe presently possessed by her and William Wilsone, younger, litster there, her cottar, but she still refuses, so a decreet of eviction is craved. Pursuer compeared by John Bunzie his procurator, and defender being absent, the bailie ordains her to be ejected and the pursuer to be put in possession.

Melrose, 10 May 1683; George Pringle

Which day action by Alexander Ogilvye, one of the gentlemen of the Laird of Meldrum's troop, against Walter Ker, merchant in Melrose, who is addebted to Charles Whytte, merchant in the Panns, in 33 l. 10 s. as the balance of price of merchandise bought about 2 years ago, who assigned on 10 April last and gave power to the pursuer to uplift the debt. Pursuer compearing by John Bunyie his procurator, produced the fitted account and factory written at the end thereof; and defender being absent is held as confessed, and ordained to pay the sum craved, with 4 l. expenses.

[1] The remaining decreets observe no chronological order.

Melrose, 14 October 1682; George Pringle

Which day action by George Ogilvie, procurator fiscal to the justices of peace of Roxburgh, etc., against John Rodger, writer in Edinburgh, and Robert Bunyie, mason in Newstead, for his interest, relating his decreet, 29 April last, against Bunyie and John Hunter, cordiner in Melrose, for his interest, for 300 merks as part of 800 merks (*See* No. 5 *supra*), whereupon Robert Whytte, officer, on 7 October instant, arreisted in the defender's hands 300 ℓ. due by him to Bunyie. Pursuer compearing by Archibald Frier his procurator, and John Rodger compearing, but Bunyie absent, and Rodger refusing to depone what he owed, is decerned to make forthcoming the said 300 ℓ.

Same day action by John Lithgow in Melrose against Charles Watsone and Alexander Andersone in Ridpeth, and John Andersone there for his interest, narrating Bond, 18 April 1681, by said John Anderson to the pursuer for 120 ℓ. Scots, with 10 ℓ. of penalty, registered 30 July 1681 and decreet interponed, whereupon Francis Pringle, officer, on 13 October instant arreisted in the hands of said defenders 16 bolls of bear due by them to said John Anderson, to be furthcoming by them or 10 merks for each undelivered boll. Defenders absent, decerns as craved.

[The three following entries are from a loose leaf]:—

Melrose, . . . day of . . ., 1682, in presence of George Pringle of Blindlie, bailie of the regality of Melrose, compeared Archibald Frier, procurator for Barbara Cairnecroce, widow of Mr. William Duguid, minister at Dolphingtoune, and gave in for registration a Discharge by her to William Wilsone, litster in Langhaughe, for 15 ℓ. Scots as a year's rent (Whitsunday last to Whitsunday next, 1681) of a dwelling house 'high and laich and workehouse' in Langhaughe liferented by her; and she, with Andrew Moffatt in Appletreeleaves as cautioner, obliges

herself to warrant the same and cause mend the houses and make them wind and water tight before 1st May next under a penalty of 10 merks. The Discharge is written by John Kirkwood, notary in Galashiels, and dated at Galashiels, 22 December 1680; witnesses, the said John Kirkwood, and James Deans in Langhaugh.

Melrose, 12 July 1682, registration of Bond by George Bertoune, portioner of Gattounsyde, to Adam Urquhart of Meldrume for 50 ℓ. of borrowed money, to be repaid to his heirs or assignees (excluding executors) by 1st January next, or 10 merks of penalty, and interest. The bond is dated . . . 1681 [*illegible*], witnesses being Andrew Kennedye, officer in Melrose and James Wilkiesone.

Melrose, 12 July 1682, registration of Bond by Thomas Mathiesone, cooper in Gattonside, and John Hogg, weaver in Melrose, to Adam Urquhart of Meldrum for 100 ℓ. Scots, to be paid to his heirs, executors or assignees, by a certain date under a penalty. The bond is written by John Lithgow, clerk to the regality of Melrose, and dated at Melrose, 6 May 1682; witnesses, George Pringle of Blindlie, and said John Lithgow.

'Enrollments of the Regallitie Court of Melrose, with ane particular list of the haill irregular persones and delinquents names conveined and fyned be George Pringle of Blindlie, baillie of the said regallitie, frae the 4th day of March 1682 to the thrid day of May 1684 yeires.

'Complaines Archbald Frier, procurator fiscall of the regallitie of Melrose, upon James Fischer, portioner of Blainslies, James Greives, elder and younger ther, James Rollmainehouse ther, Johne Wallace, smith ther, Allexander Dicksone, merchant ther, Thomas Darling ther, William Turner, tayllyeor ther, Thomas Turner ther, William Ker of Broadwoodsheill, Johne and George Rollmainehouses in Blainslies, William Spotswood, tayllyeor there, Robert

Wreight, smith in Langshaw, Mr. George Urqhuart in Buckholme, Allexander Young, servitor ther, —— Guairdiner ther, James Rodger, cordiner in Ridpeth, James Mosse ther, James Jacke ther, Andro Chisholme, herd ther, Johne Thomsone, meassone ther, William Bell ther, William Broune, merchant ther, Johne Eidingtoune ther, Thomas Mathiesone in Gattounsyde, James Marr and Alisone Hog his spous ther, William Wreight, elder and younger, ther, Robert Clarke, merchant ther, Jenet Hallywall, "Lady," ther, Johne Hoy ther, Thomas Boustone, sone to Thomas Bowstoune ther, Andro Hallywall, donator, Johne Bertoune ther, Robert Mertoune ther, Thomas Hallywall ther, Johne Hallywall his sone, Johne Hallywall, "Croce," and —— Hallywalls, his tua dawghters, Andro Turnbull in Brigend, and his wyffe, Andro Baillie ther, —— Turnbulls, sisters to the said Andro Turnbull, Walter Vair, weavir in Darnicke, Johne Dalglish, ther, and Jenet Drover his spous, James Cochran, tayllyeor, and Anna Cochran, his goodsister, William Griersone, weavir ther, and —— Griersones, his tua dawghters, Johne Luckup in Melrose, Isobel Luckup his sister, Johne Bell, younger, ther, Andro Tunno ther, Margratt, Dinah and Jenet Tunnoes his daughters, Johne Hog, weavir ther, Isobell Fratter ther, Peter Donnaldsone ther, James Blackie ther, Isobel Blackie his sister, George Blackie, tayllyeor, his brother, and Margarett Nicoll, ther mother, Mally Sclaitter ther, James Wallace, merchant ther, —— Taite, servitrix to Adam Lithgow, Walter Donnaldsone ther, Isobell Luckup, elder ther, Margrat Lithgow, widdow ther, Thomas Bunyie, merchant ther. William Andersone, merchant ther, and Jenet Patersone his spous, Johne Hunter, cordiner ther, and Elizabeth Broune his spous, —— Mertoune, his servitrix, Margrat Eillies, spous to William Laying, wreight, James Meine, "Byres," in Newsteid, —— Bunyie his spous, and haill childreine, Robert Riddell ther, Robert Maebone ther, and his wyffe, Johne Meine, skinner ther, and his wyffe, Johne Meine, "Tounheid," and his wyffe, William Meine, smith ther, and Agnes Phillip his spous, Robert Forsan.

miller ther, James Forsan his sone and ——Forsan his daughter, Andro Wilsone and his wyffe, Johne Hiettoune in Eildoune, William Sibbald ther and his wyffe, Johne and Andro Riddells in Newtoune and ther wyffes, Thomas Stenhouse ther, and —— Myllne his spous, Thomas Myllne, smith ther, Johne Myllne, younger, ther, Nicoll Cochran ther, William Myllne ther, William Eccles ther, and his wyffe, Andro Hiettoune ther and his wyffe, Johne Gill, miller ther, and his wyffe, Thomas Hoy, smith in Lessudden, Thomas Hoy his sone, and —— Kyll, spous to the said Thomas Hoy, elder, Andro Unes ther, Walter Pattoune ther, Johne Pattone "Eastir" ther, James Eastone ther, James Patersone in Dannieltone, his wyffe and man, Thomas Drummond and his wyffe, William Gill, weavir ther, and his wyffe, Thomas Mertoune, taillyieor ther, and his wyffe, and William Aitchiesone in Sorrowlesfield and his wyffe,' who have transgressed the Acts of Parliament forbidding the frequenting of house and field conventicles, and keeping disorderly baptisms and marriages, and withdrawing from their own parish churches, and have so absented themselves for the last four years since the Act of Indemnity; for which they ought to be fined conform to these Acts contravened.

Melrose, 11 March 1682

James Robsone, weaver in Ridpeth, present, asserted he was first summoned by Bailie Faa's officer and fined before his baron court; which the bailie repelled, and fined him again for his delinquencies.

William Aitchiesone, herd in Sorrowlesfield, absent, fined 50 l. 'of contumacie.'

John Dippo in Craigsfuird, absent, fined 50 l. for contumacy.

William Purves, his servitor, absent, fined as above.

John Sheill, weaver, absent, fined as above.

John Dawsone, herd there, absent, fined as above.

John Dawsone, elder, absent, fined as above.

Melrose, 15 April 1682

Anthony Mosse, servitor to William Fischer in Sorrowlesfield, absent; Andrew Bullman and William Sweitt, tenants in Maxpople, absent; the bailie holds them as confessed and fines them conform to the Act of Parliament.

James Mair in Gattounside, present, offers to produce minister's certificate that he is orderly; next court day assigned to produce the same, and that Alison Hog his spouse kept the kirk since Act of Indemnity.

Melrose, 22 April 1682

John Hoy in Gattonside confesses he has been three Sabbath days out of his parish church, but asserts he has been already fined by the baron bailie; the bailie fines him conform to Act of Parliament, as he refused to depone.

John Hallywall 'Croce' denies all, but confesses that Margaret Hallywall his daughter is not orderly; fined conform to the Act.

George Bertoune denies, and is assoilzied.

Andrew Hallywall, donator, alleged he was fined already by the baron bailie; fined again.

Robert Wreight in Langshawmill, absent, fined 50 l. for contumacy.

Janet Hallywall in Gattonside, absent, fined 20 l. for contumacy.

George Hoy there, absent, fined 10 l. for contumacy.

William Wreight, smith there, absent, fined 20 l. for contumacy.

John Wallace, smith in Blainslie, James Fischer there, Thomas Darling there, William Turner there, William Ker of Broadwoodsheill, George Rollmainehouse and William Spotswood there, all absent, fined 20 l. each for contumacy, and to be summarily poinded.

John Rollmainehouse in Blainslie, present, confesses withdrawal from parish church since Martinmas last; fined conform to the Act.

Margaret Turner, widow of John Thinne in Blainslie,

alleges Mr. David Foster's testificate that she kept the kirk; ordained to produce same.

James Scott in Colmislie, absent, fined 50 l.

—— Broune there and —— Barrie, servitors there, both absent, fined 50 l.; and Alexander Bruntoune, servitor there, absent, fined 50 l.

Melrose, 29 April 1682

George Meine, weaver in Newsteid, and his wife, both absent; Andrew Wilsone and his wife, denied, and says he is orderly; assoilzied; John Meine, skinner, and his wife, absent; William Meine, smith, and his wife, attested orderly 'and past'; Andrew Meine, elder, and his wife, produced a letter from Ancrum that he is orderly; assoilzied; Alexander Meine, his son, absent; Robert Riddell and his wife, absent; Robert Maebone and his wife, absent; Robert Forsan and his daughter, absent; James Meine, 'called Byres,' and his wife, absent; Thomas Drummond and his wife, attested orderly, assoilzied; Helen Wallace, widow in Danzieltone, absent; William Gill, weaver there, and his wife, confessed 'they did not keep the kirke'; James Young his man absent; James Patersone his wife and servants absent; Thomas Mertone, tailor, and his wife, confessed. The bailie fines each of the absents in 20 l. for contumacy, assoilzies those orderly, and fines Gill and his wife and Mertone and his wife conform to the Act of Parliament.

Melrose, 31 May 1682

George Turner in Colmsliehill, deponed negative, assoilzied.

John Taite, his herd, absent, and excused.

Thomas Hardie in Overlangshaw, deponed negative, assoilzied.

William Davidsone, tenant there, ditto.

Robert Weathirstanes, attested orderly, assoilzied.

James Friergreive in Laerittmoore absent, fined 50 l.

James Scott, herd in Colmslie, absent, fined 50 l.

James Forsyth, tenant there, refused to depone, held as confessed, and fined conform to the Act.

Robert Hilsone, tenant in Calfehill, attested orderly, assoilzied.

James Symingtoune, his herd, refused to depone, fined according to the Act.

John Lithgow of Newhouses, attested orderly, assoilzied.

Archibald Moffatt in Threipwood, absent, fined 50 l.

Michael Pearsone, herd in Williamlaw, attested orderly, assoilzied.

John Symmontoune, herd in Buckholme, attested orderly himself, but confessed that Margaret Law his spouse did not keep the kirk; fined therefor conform to the Act, and ordained 'to speake with the baillie eftir the court.'

Hugh Wilsone in Langhaughe, refused to depone, fined conform to the Act.

Robert Wilsone, his brother, confessed withdrawing and came in will.

George Fratter, son of John Fratter, absent, fined conform to the Act of Parliament.

Melrose, 3 June 1682

Which day the whole delinquents contained in the first roll and fined by the bailie on 25 March last were complained upon again by the procurator-fiscal, and all being absent, were held as confessed, and fined conform to the Act of Parliament, and the bailie interpones his authority to his former decreets and ordains precepts to be issued for the fines.

Melrose, 24 June 1682

James Robson, weaver in Ridpeth, absent, held as confessed.

David Denholme, portioner there, absent, fined 50 l. for contumacy.

Jean Sheill his mother and —— Denholme his sister, absent, fined 50 l.

James Rodger, cordiner there, absent, fined 50 l.

William Broune there, absent, fined 50 l.
John Thomsone there, absent, fined 50 l.
Janet Turner, widow there, absent, fined 50 l.

Melrose, 1 July 1682

John Luckup in Melrose, Isobel Luckup, younger, there, Elizabeth Law, wife of Andrew Luckup, John Bell, younger, there, Andrew Tunno there and his daughters, Isobel Fratter, Peter Donnaldsone there, Katherine Donnaldsone his sister there, Mally Sclaitter there, Walter Donnaldsone there, Isobel Luckup, elder, there, Isobel Coocke there, John Hunter, cordiner, and his wife, William Andersone and his wife, Isobel Blaickie, George Blaickie, tailor there, Margaret Eillies, wife of William Laying, Thomas Law there and his daughter, James Patersone in Danyieltoun, his wife and servants, William Gill there, his wife and servants, Helen Wallace, widow of Andrew Patersone, weaver there, Walter Vair in Darnick, John Dalglishe there, and their wives, William Griersone there and his two daughters, James Cochran there and his wife, Anna Cochran his sister, Andrew Turnbull in Brigend, John Mertoune, tailor there, James Meine, 'Byres,' in Newsteid, Robert Riddell there and his wife, George Meine, weaver, and his wife, John Meine, glover, and his wife, Alexander Meine, mason, younger, and his wife, Thomas Stenhouse in Newtoune and his wife, Nicol Cochran there and his wife, John Myllne, younger, there, and his wife, Thomas Myllne, smith there, and his wife, Thomas Hoy, smith in Lessudden, and —— Hoy his son, James Young, weaver there, Margaret Ballantyne his spouse; James Rodger in Ridpeth, David Denholme there, Jean Sheill his mother, Jean Denholme his sister, Janet Turner, widow there, William Broune, merchant there, Agnes MacDowgall, servitor to David Denholme, Thomas Litle in Blainslies, 'confesses he wes at a meitting in James Fischers house, and come in the baillies will therfore'; Thomas Darling confessed the same meeting and came in will; William Broune and William Sweit confessed the same meeting. The bailie fines the persons compearing according to their

confessions, and holds the whole absents as confessed and fines them conform to the Act of Parliament.

Melrose, 8 July 1682

Archibald Moffatt in Ouplaw, asserted he was orderly since he was last fined; passed.

John Patersone in Threipwood, attested orderly; assoilzied.

William Lawder in Blainslie, 'confesses the conventicle keept in James Fischers house, and refuses to depone for quhat ells, and comes in will therfore.'

Robert Sheill there, confessed the same and comes in will.

John Darling, younger, there, confessed said house conventicle.

William Davidsone there, deponed negative; assoilzied.

John Moffatt there, confessed James Fischar's conventicle, and comes in will.

The bailie fines Lauder, Sheill, Darling, and John Moffatt conform to the Act, and assoilzies Archibald Moffatt, Patersone and Davidsone.

Melrose, 29 July 1682

John Stirling in Blainslie refused to depone, and came in will; fined conform to Act of Parliament.

Margaret Turner, widow there, ditto.

George Rollmainehouse, 'Dukedub,' ditto.

Robert Swanstoune, ditto.

Thomas Darling, younger, ditto.

William Broune there, ditto.

George Moffatt there, confessed two conventicles; fined conform to the Act of Parliament.

Peter Moffatt in Threipwood, refused to depone; fined as above.

Archibald Moffatt in Ouplaw, confessed a meeting in Ouplawslack; fined as above.

James Forsyth in Colmslie, allowed to prove the minister of Stow's certificate that he is orderly.

Alexander Scott, weaver in Blainslie, and James Darling there, depone negative; assoilzied.

James Fischer and his wife there, Elspeth Luckup, their servitrix, John Dawsone, younger, in Craigsfuird, and his wife, William Davidsone in Blainslie, John Foord in Threipwood, William Notman there, and Andrew Notman there, all absent; all fined 50 l. each for contumacy.

Melrose, 12 August 1682

Hugh Wilsone, wright in Langhaughe, Robert Wilsone, wright there, his brother, Andrew Turnbull in Brigend, John Mertoune, tailor there, all absent, and each fined 50 l. for contumacy, and to be summarily poinded.

19 August 1682

Richard Lies in Hagburne, absent, fined 20 l. for contumacy and ordained to be summarily poinded therefore and to be summoned against the next court under the pain of 50 l.

James Turner in Roan of Blainslie, absent; the bailie gives him this day eight days to advise with his oath, and to compear then and bring in his wife with him to depone, under pain of 40 l.

Melrose, 26 August 1682

Francis Scott of Colmislie 'compeared personallie for his spous and tua gooddawghters, who declaired that in obedience to ther summonds they were come to the toune. The baillie continewes them till eftir the court he get tyme to examine them.'

James Rollmainehouse in Blainslie, deponed negative; assoilzied.

Alexander Scott, weaver there, convened for reset of William Spotswood, fugitive; denied all; next court day assigned to the fiscal to prove reset.

John Fratter in Langhaughe compeared for George Fratter his son and confessed that his son did not keep the kirk 'and he could not force him to doe it';

continued to Wednesday next, and ordained to attend then.

James Corser in Bentmyllne, 'present and sayes he is regular and denyes, and attested to be orderlie by Francis Scott of Colmislie, quherupon the baillie passes him.'

George Dalglishe, herd there, 'confesses he wes fyned the last yeir by the Laird of the Stow, but refused to depone and come in will, and Robert Lies cautione for him to present him eftir the court.'

James Turner in Roan and Agnes Broune his wife, denied all; the bailie continues them 'untill he trye furder anent ther cariadges.'

George Lies, servitor to Robert Lies in Whitlaw, refused to swear and comes in will; the said Robert became cautioner to present him after the court.

Richard Lies, herd there, refused, etc., as above. Thomas Merser, servitor to said Robert Lies, ditto. George Hallyday, servitor to Robert Lies, absent, fined 20 l. for contumacy.

Melrose, 2 September 1682

George Hallyday, servitor to Robert Lies, absent, held as confessed, fined conform to the Act, and ordains arreistment to be laid in his master's hands 'to arreist quhat goods he hes or quhat fies he is aughting to him.'

James Forsyth, tenant in Columslie, and his wife, absent, thrice called, held as confessed, fined conform to Act of Parliament.

James Laidlaw, servitor to Robert Hilsone in Calfehill, declared he is orderly, and offered to depone, 'quherupon the baillie past him.'

Michael Hendrie, servitor to said Robert Hilsone, confessed a conventicle at Threipwood, 'and refused to depone for any more, and came in will'; said Robert Hilsone being cautioner to present him after the court.

Thomas Stewart in Langshawmill, refused to depone and confessed he had been at several conventicles, 'but remembred not how many wes of them,' and came in the bailie's will therefor.

James Rollmainehouse in Blainslie, 'present and to be reexamined upon his oath formerlie given desyred to speake with the baillie eftir the court, quhilk wes grantit.'

John Bell, weaver in Melrose, present for John Bell, younger, his son, 'declaired he had done quhat he could to perswade his sone to come to the kirke but could not prevaill.'

John Luckup in Melrose, Isobel Luckup there, John Bell, younger, there, Andrew Tunno there, Margaret, Dinah, and Janet Tunno, his daughters, Isobel Fratter, Peter Donaldsone there, Katherine Donaldsone his sister, James Wallace, merchant, Maly Sclaitter there, —— Taite, servitor to Adam Lithgow, William Andersone and Janet Patersone his spouse, Walter Donnaldsone, Isobel Luckup, elder, Isobel Cooke, Margaret Lithgow, widow, John Hunter, cordiner, and Elizabeth Broune his spouse, Margaret Nicoll, James Blacke, George and Isobel Blaickes his children, Margaret Eillies 'spous William Laying,' Thomas Law and Christian and Elizabeth Law his two daughters, all in Melrose and all absent. The bailie holds all the absentees confessed and fines them conform to the Act, and also fines John Bell for his son, and Michael Hendrie and Thomas Stewart according to their confessions.

Archibald Frier, procurator fiscal, accuses Alexander Scott in Blainslie of contravening certain Acts of Parliament by having within a year past daily reset, supplied, conversed with and favoured William Spotswood in Blainslie, 'ane declaired rebell and fugitive and who wes allwayes in armes in company with the rebells and wes constant precentor to ther haill field meittings and randevous of rebellioune keept be them everie weike at that place of Blainslie ground called the Blewcairne, Threipwood mosse, Carrelsyde, and severall uthir places therabouts, by setting to and entertaineing of the said William Spotswood . . . in ane coatt house belonging to him in Blainslie and permitting him his wyffe and famillie peacablie to leave therine'; for which he ought to be fined and punished. 26 August 1682, defender denies; next court day to prove.—2 September 1682,

pursuer adduced as witnesses (1) George Moffatt in Blainslie (etc. as in decreet formerly recorded).

Melrose, 18 September 1682

Patrick Blaickie, herd in Allanshaws, confesses a meeting in Carrelsyde and comes in the bailie's will; fined conform to Act of Parliament.

James Pearsone, another herd there, denies all, and offers to depone; assigned another court day to advise with his oath.

Thomas Mathiesone, cooper in Gattonside, 'asserted he hes keept the kirke since he wes last fyned; past.' Andrew Bald, his servitor, refused to depone, came in will, fined.

John Wallace, smith in Blainslie, affirmed, as did Mathieson; passed.

Robert Meine in Eildon, convened at the fiscal's instance for intromitting with the goods and gear belonging to Janet Hallywall 'called Lady' in Gattonside, outlaw and fugitive, produced a Disposition by her to him of all her corn, plenishing and insight, dated 8 May 1682; but pursuer offered to prove it was granted without any onerous cause and only to evade payment of fines and posterior to several decreets obtained against her for irregularities; and the defender refusing to depone anent the onerous cause, the bailie ordains him to deliver up the corn, goods and gear to the fiscal. The defender opposed his Disposition and took instruments in the Clerk's hands.

Melrose, 19 October 1682

John Gibsone in Lessudden says he was already fined by Meldrum; ordained to produce discharge next court day.

John Jamiesone, weaver there, denies all; passed. John Riddell 'Eastir,' asserts he was already fined by Meldrum; to produce discharge.

Thomas Jamiesone, weaver there, 'producit Meldrumes

discharge; the baillie tooke Raeburne's assertioune that he is orderlie and passt him.'

John Fairbairne there, denies all 'and sayes he wes allwayes orderlie'; passed.

John Pattoune, younger, says he was fined and discharged by Meldrum on 25 November 1681, 'and that he hes beine orderlie since syne'; passed.

James Patersone, servitor to Thomas Hoy, smith in Lessudden, Andrew Unes, weaver there, John King there, John Richardson there, John Coatt, Easter, there, all absent; the bailie fines Hoy's man 50 ℓ. for contumacy as being personally summoned, and ordains the rest, because not personally summoned, to be summoned again next court day.

James Rodger, cordiner in Ridpeth, confesses not being at church for three years; ordered to find caution to keep the church, and next court day assigned, and to find present caution to compear himself that day; Alexander Andersone became cautioner to present him prisoner, under 100 ℓ. of penalty.

Melrose, 24 October 1682

Alexander Anderson in Ridpeth compeared and presented James Rodger prisoner to the bailie and protested to be free of his cautionry, and took instruments.

William Broune, merchant in Ridpeth, absent, fined 50 ℓ. for contumacy.

James Robsone, weaver there, 'refused to promise to keep the church, quherupon the baillie committed him to prissone untill he fand cautione to keep the kirke.'

David Denholme in Ridpeth, personally summoned but absent, 'the baillie fynes him in 50 ℓ. of contumacie and ordaines him to be summerlie poynded therfore, and thereftir held him as confessit and fyned him conforme to the Act of Parliament.'

William Wilsone, younger, litster in Langhaughe, and his wife, refuse to depone, held as confessed, fined conform to the Act; Wilsone to remain in prison till he pay his own

fine, but his wife allowed to next court day to advise with her oath.

Bessie Cairncroce, wife of Thomas Moffatt in Gattounsyde, refused to depone, came in will; fined conform to Act of Parliament.

Robert Hilsone, tenant in Calfehill, and his wife, say they are orderly; to produce the minister's testificate.

James Symmontone, herd in Calfhill, refused to depone; fined according to the Act, and to lie in prison till payment.

Thomas Leadhouse, tenant in Drygrange, says he is orderly, and 'the baillie passes him.'

William Swanstoune his servitor, refuses to depone; fined conform to the Act.

William Thomsone, son of Alexander Thomson, herd in Drygrainge, 'confessit he wes only halfe ane hour at one conventicle keeped in Sorrowlesfeild, and offerred to depone negative for all uthers, quherupon the baillie past him upon his promise nevir to goe to any agane.'

Melrose, 1 November 1682

William Darling, son of John Darling, portioner of Blainslie, denied all, but refusing to depone is held confessed and fined conform to Act of Parliament.

George Whyte, servitor to James Greive, denies all, but refuses to depone; bailie gives him to advise with his oath 'untill he call for him at Blainslie againe.'

Archibald Steall in Columslie, absent, fined 50 l. for contumacy.

Nicol Merser in Mosshouses, deponed negative; assoilzied.

Thomas Soudden there, denies all, but refusing to depone and coming in the bailie's will, is held confessed and fined conform to the Act.

Richard Sclaitter, absent and excused because sick; to compear when next summoned, under 50 l. of penalty.

Walter Thomsone, herd in Mosshouses, deponed negative; assoilzied.

James Hislope, herd in Columsliehill, absent, fined 50 l.

James Mertoune in Allanshawes, absent, fined 10 ℓ. for contumacy.

Thomas Stenhouse, portioner of Newtoune, absent, fined 50 ℓ. for contumacy.

Robert Weathirstaines, herd in Over Langshaw, absent, fined 10 ℓ. for contumacy.

William Mortoune, merchant in Blainslie, absent, fined 10 ℓ. for contumacy.

Thomas Merser, servitor to Robert Lies in Whitlaw, absent, fined 10 ℓ. for contumacy.

James Broune, servitor to said Thomas Stenhouse, deponed negative; assoilzied.

John Myllne, younger, in Newtoune, 'confesses that he does not keep the kirke, and that he tooke the communione at Haughead upon thir tearmes that he should nevir hear bishopes nor curatts in tyme comeing; quherupon the baillie committed him to prissone.'

Thomas Myllne, smith, confessed the same 'and will not engadge to keep the church in regaird he sayes he tooke the Covenant in the Presbiterian tyme; quherupon the baillie lykewayes committed him to prissone, untill they would ingadge to keep the kirk.'

Andrew Hiettoune there and his wife, Janet Eccles, Nicol Cochran and Isobel Mylne his spouse, Janet Cochran, wife of Thomas Myllne, John Riddell and Janet Moffatt his spouse, Thomas Stenhouse for Christian Myllne his spouse, Margaret Stenhouse his sister, James Myllne and Isobel Thomsone his spouse, Isobel Ruthirfuird, wife of said John Myllne, and Agnes Fischer, widow there, Robert Maebone in Newsteid and his wife, Robert Riddell and his wife, and James Meine 'Byres' and his wife, all summoned and absent, each fined in 50 ℓ. for contumacy and to be summarily poinded.

Thomas Hoy, smith in Lessudden, says he has gone to the kirk these three last Sabbaths; passed as for himself *pro loco et tempore*; examined as to what he owed to James Patersone his servitor, confessed 11 ℓ. Scots, which he is ordained to make forthcoming, and is also fined 100 ℓ. for his son Thomas's bygone irregularities.

James Forsyth in Columslie deponed he owed to Archibald Steall his servitor, 4 ℓ. 1 s., which he is ordained to make forthcoming.

Robert Lies in Whitlaw confessed that Thomas Merser his servitor had some sheep going upon his ground; ordained to make them forthcoming till the fine be satisfied.

Andrew Notman in Threipwood, refused to depone; fined conform to the Act.

Thomas Carter, herd there, refused to depone, fined as above.

James Smith in Threipwood, ditto.

Thomas Soudden, herd in Mosshouses, ditto.

James Pearsone, herd in Allanshawes, ditto.

James Hislope produced a discharge from the clerk of Stow 'of all preceading irregularities preceading the first of January 1681, and said he wes orderlie since'; the bailie passed him.

21 November 1682

Peter Moffatt in Threipwood and his wife, both confessed a conventicle at Threipwood and another in Blainslies; fined conform to the Act of Parliament.

James Pringle, their servitor, confesses Threipwood and denies all others; fined as above.

James and John Hardie, sons of John Hardie in Blainslie, both absent, fined 50 ℓ. each for contumacy, and their father to be summarily poinded therefor.

Richard Sclaitter in Mosshouses, refused to depone, fined conform to the Act.

Thomas Soudden there, ditto.

Archibald Steall, servitor to James Forsyth in Columslie, continued 'untill the morrow, to come and speake with the baillie at Langshaw.'

Andrew Notman in Threipwood, absent, 'holdine as confessit for 6 ℓ. Scotts.'

John Patersone there, absent, held as confessed for 12 ℓ. Scots.

Thomas Carter, herd there, absent, held confessed for 3 ℓ.

Thomas Baine in Laerittmoore, absent, held as con-

fessed for all bygone irregularities since the Act of Indemnity, and fined conform to Act of Parliament.

Melrose, 13 January 1683

Andrew Hiettoune in Newton confesses withdrawing from his parish church ever since the Act of Indemnity till within the last twenty days 'he came to the kirke'; and being asked what conventicles he had been at, answered he did not remember how many, and refused to depone.

Thomas Stenhouse, portioner there, alleged he was already fined by Meldrum 'and that he wes not at any meittings since syne aither in house or field, that is to say since the daite of Meldrumes discharge quhilk is the tenth day of May last, but confesses that he hes withdrawen from his paroch church sincesyne, and comes in will therfore.' Christian Myllne his spouse, absent; the said Thomas alleged she was likewise discharged by Meldrum, 'and wes no furder guilty then he is.'

Margaret Stenhouse his sister, James Myllne, Thomas Myllne, smith, Isobel Myllne there, all absent.

John Myllne, younger there, comes in the bailie's will for all bygones.

Robert Sclaitter in Eildon denies all, refuses to depone.

William Ker, son of William Ker, carrier in Newton, denies all, but refuses to depone.

William Swantstoune, servitor to Thomas Leadhouse in Drygrange, produced a testificate, dated 31 December 1679, signed by Mr. Robert Mertoune, clerk to the justiciary, that he had taken the 'band' prescribed by the Privy Council on 13 November 1679; refuses to depone as to conventicles since, but declares he is clear to depone that he had kept the church since.

Robert Riddell, weaver in Newstead, for himself and his wife, refused to depone.

Andrew Tunno in Melrose denies being at any meetings since he was fined and discharged by Meldrum, and produced a discharge by George Ogilvy, Meldrum's procurator-fiscal, for all bygone disorders preceding 27 May 1681, and deponed negative for conventicles since, but came in will

for withdrawing from his parish church since until Martinmas last. Fined conform to the Act.

Isobel Fratter, widow in Melrose, James Wallace, merchant there, Margaret Lythgow, widow there, Margaret Watsone there, Isobel Luckup, elder, there, Christian Law, daughter of Thomas Law there, John Hunter, cordiner there, and Elizabeth Broune his spouse, Margaret Tunno, wife of James Blaickie there, George Blaicke, tailor there, his brother, and Isobel Blaickie his sister, all absent.

The bailie fines all absentees in 20 l. each for contumacy, to be summarily poinded, and fines those confessing conform to the Act of Parliament.

Melrose, 27 January 1683

James Pringle, eldest lawful son of George Pringle of Buckholme, denies he is a heritor, and asserts he is not infeft in a furr of land, but is only a tenant to his father in the lands of Buckholme and Laerrittmore, but confesses the whole libel, that is that he has frequented house and field conventicles and constantly withdrawn from the church ever since the Act of Indemnity, and comes in the bailie's will; who fines him conform to the Act, and ordains him to remain prisoner till payment.

Thomas Bunzie, mason in Newstead, 'called Uncle,' denies all, 'except one sermon preached by ane indulged man in the West countrye, whose name wes Mr. James Brotherstaines, who lived in the parochine of Pentpont and preached in his oune house'; and thereafter confessed he heard another sermon preached by Mr. John Lithgow at Ridpeth, 'but does not remember whither or not it wes befor or eftir the Act of Indemnitie.'

Thomas Bunyie, younger, 'called Nephew,' denied all; passed.

John Boo, servitor to William Riddell, miller in Newstead mill; absent.

Alison Meine, widow, 'called in the Wynd,' absent.

Janet Meine, wife of John Meine, hostler, absent.

James Meine in Eildon, 'called Silver James,' for Alexander Meine his son, and —— Meines his daughters;

thereafter Alexander Meine compeared for himself and denies all conventicles but one kept about three years ago at Dryburgh ; thereafter confessed another kept there, and came in the bailie's will for both.

John Hog, servitor to Robert Faa, bailie ; absent.

Robert Sclaitter, mason in Eildon, refuses to depone, and comes in will.

Robert Meine in Newstead 'called Davids Robert,' denied all and offered to depone ; passed.

James Meine, son of Alexander Meine, mason, denied all ; passed.

David Meine, weaver there, said he was fined by Meldrum, and offered to depone 'since syne' ; passed.

John Bowar in Eildon denied all ; passed.

Richard Meine, mason there, produced Meldrum's discharge dated in October 1681 ; to speak with the bailie after the court.

John Vair there, denies all ; passed.

James Myllne in Newton, confesses two meetings at Dryburgh, refuses to depone as to withdrawing from the church, and came in will for all ; 'thereftir alleadgit that he remembered verrie weill it wes in the tyme of the Indulgencie.'

Thomas Myllne, smith there, affirmed he kept the kirk ever since the bailie last ordered him to keep it, and promises that both he and his wife shall keep it in time coming.

Agnes Fischer, widow there, confesses withdrawing from the church 'this long tyme bygane, except withine thir 15 dayes' ; refuses to depone as to conventicles, and comes in the bailie's will for all.

John and Andrew Riddell there, both absent. Margaret Stenhouse, sister of Thomas Stenhouse, portioner there, absent.

The bailie fines all confessors conform to Act of Parliament, and also all absentees conform to the Act.

Melrose, 17 February 1683

William Scott, servitor to Andrew Merser, maltman in Darnick, confessed a conventicle kept at Williamlaw,

and refuses to depone as to any other, and comes in the bailie's will; fined conform to the Act.

Melrose, 17 March 1683

John Symmontone, herd in Buckholme, alleged that Margaret Law his wife keeps the kirk now, but she did not keep it formerly; came in the bailie's will. Andrew Mein, mason in Newstead, produced Meldrum's absolvitor under George Ogilvye's hand, dated at Jedburgh, 9 November 1681, and offered to depone that he has been regular since; assoilzied.

Agnes Cochran his spouse refused to depone, and craved next court day to advise with her oath.

The bailie fines Symontoune for his wife conform to the Act, and continues Agnes Cochran till next court day.

Melrose, 21 August 1683

John Uscher, portioner of Darnick, being convened at the instance of Archibald Frier, procurator fiscal, for his bygone ecclesiastical disorders since the Act of Indemnity, compeared by his procurator John Bunyie, who alleged that the defender was not personally summoned to this diet or at any person's instance, and craved inspection, and took instruments; but the fiscal answered that he opponed the execution produced, under the hand of John Leatheid, officer; so the bailie repelled the declinator, and ordered the defender to be called again at the door, who being thrice called and not compearing, the bailie fines him 20 l. Scots for contumacy and ordains him to be summarily poinded.

Isobel Stoddart, wife of John Lithgow of Newhouses, depones negative; assoilzied.

Helen Donaldson, wife of James Fischer, portioner of Blainslie, craved a day to advise with her oath, which the bailie refused and held her as confessed, and fined her conform to the Act of Parliament, since her spouse and she were last discharged.

Melrose, 1 December 1683

James Pringle, fiar of Buckholme, being convened at the fiscal's instance for withdrawing from his parish church

since he was last fined and for being present at a field conventicle at Newmyllnes in November last, preached at by Mr. John Lawder, compeared personally and confessed that he has constantly withdrawn from the church since last fined, and came in the bailie's will, but denied the said conventicle or any other conventicles; whereupon the bailie fines him for withdrawing, conform to the Act.

John Symmontoune, herd in Buckholme, being asked what he knew or heard of the foresaid field conventicle, deponed negative; assoilzied.

Andrew Richie, his servitor, ditto.

Archibald Steall, servitor to Buckholme, ditto.

John Peacoke, servitor to Buckholme, ditto.

George Mitchelhill, servitor to Buckholme, ditto.

Melrose, 2 February 1684

Andrew Merser, maltman in Darnick, and Eupham Fischer his spouse, being convened and compearing, Merser deponed negative, and is assoilzied; his wife continued till next court day.

Melrose, 23 February 1684

Peter Marke in Lessudden, absent; Bessie Jamiesone his wife, present, denies all.

Isobel Kyll, wife of John Leathane there, absent; compeared John Leathane for her and denied all.

Janet Leathane his daughter, absent.

Janet Thorborne, wife of John King, denied all, but refused to depone.

Margaret Pattoune, wife of John Riddell 'Easter' there, denied all, but refused to depone.

Helen Unes, wife of John Unes, refused to depone.

Janet Leathane, wife of Michael Gibson there, denied all, but refused to depone.

Christian Kyll, wife of Walter Glendining, Margaret Coatt, wife of James Ruthirfuird, Bessie Allan, wife of John Kyll there, and Bessie Stoddart, wife of John Fairbairne, deny all, but refuse to depone.

Janet Cochran, wife of Thomas Kyll, 'Bald,' James

Marke, servitor to John Pattoune in Camiestoune, Bessie Whyte, cottar in Eilliestoune, Thomas Sheill and Bessie Wight his spouse, William Donaldsone there and Isobel Briggs his spouse, and William Sweatt their servitor, Bessie Turnbull, cottar there, John Wintrope, elder and younger, there, Walter Patoune there and Janet Hudd his spouse, Thomas Wilson his servitor, Christian Harvie his servitrix, William Newbigging there and Janet Bullman his spouse, Isobel Riddell, cottar there, William Tayllyeor there and Janet Purves his wife, all absent.

Bessie Gramislaw, cottar in Lessudden, confessed she withdrew from the church.

Thomas Lourie, quaker, and Bessie Wight his wife, passed; also David Unes and Abigail Kyll his wife.

William Hope in Eilliestoune and Bessie Swantstoune his wife, denied all.

Thomas Vair there, refused to depone; Isobel Lourie his wife, absent.

William Sweat there and Grizel Steall his wife, John Cochran there and Margaret Mertoune his wife, James Cochran his son, Christian Cochran his daughter, John Falla there and Isobel Bullman his spouse, all refuse to depone.

Thomas Mylles, servitor to said John Cochrane, and James Bullman, servitor to said John Falla, both absent.

The bailie fines the absentees 10 l. each for contumacy, and ordains them to be cited to the next court under a penalty of 50 l., and ordains the compearers to bring in their testificates from their parish minister or compear and clear themselves by oath.

Melrose, 1 March 1684

Eupham Fischer foresaid, being asked if she attended house or field conventicles since the Act of Indemnity, especially a field conventicle at Caldsheills and another at Brigend, refused to depone, and (with her husband's consent) came in the bailie's will; fined for the said two conventicles conform to the Act of Parliament, that is to say, in 100 l. Scots.

Melrose, 19 April 1684

Which day the whole foresaid persons in the parish of St. Boswells being again called, either to produce certificates or clear themselves by oath, were absent, except Bessie Jamieson, wife of Peter Marke, who alleged that her husband was 'not at home,' and Janet Thorborne, wife of John King, 'who were both present.' All fined conform to the Act, but extract supersede against Peter Marke and his wife and John King's wife for eight days to bring in their minister's certificate.

Melrose, 26 April 1684

Which day the following persons were convened at the fiscal's instance for withdrawing from the parish church and being present at a field conventicle 'kept upon the —— day of this instant aither in Eildoune hills or Huntliewood':—

Thomas Law, weaver in Melrose, Christian Law his daughter, Elizabeth Law, wife of Andrew Luckup, Helen Wauch, widow there, Andrew Tunno (for Dinah and Janet his daughters), James Meine, herd in Newmaynes, Isobel Fratter, widow in Melrose, and Michael Wallace her son, Margaret Nicoll (for Margaret Blaickie her daughter), Adam Lithgow (for Margaret Lithgow his daughter 'and his oyes'), Margaret Watsone his cottar, James Patersone, weaver in Danyieltoune, and his spouse, and Helen Wallace, widow there, were all absent, and fined conform to the Act of Parliament.

William Friergreive, servitor to said James Paterson, denied that either he or his master were at any such conventicle, but confessed he heard a report of one kept in Eildon hills or Huntliewood; refused to depone; ordered to remain in prison till he depones what he knows.

Thomas Mertoune, tailor there, being asked what he knew or heard 'of any such field conventicle keeped shortlie near the toune of Melrose,' deponed negative; assoilzied.

William Gill, weaver there, interrogated as above, deponed negative, except that he heard there had been a

meeting recently either in Eildonhills or Huntliewood; knows nothing else of it; assoilzied.

MELROSE REGALITY

ROLLS OF THE HEAD COURTS

'Curia capitalis regalitatis de Melrose tenta in pretorio ejusdem undecimo die mensis Martii millesimo sexcentesimo octuagesimo secundo per Georgium Pringall de Blindlie, ballivum deputatum nobili et potenti Comiti Roberto, Comiti de Roxburghe, Domino Ker de Cesfuird et Cavertoune, etc. ballivo principali ejusdem'; curia legittime affirmata.

'The quhilk day the said George Pringle, baillie deput forsaid, sittand in judgement caused call the haill heretors, fewars, vassalls and uthirs layable to give suite and presence to the heade courts of the said regallitie, whose names are as followes. Compeared Thomas Wilkiesone, laite clerke of the regallitie, and protested in name of the Erle of Haddingtone, that it is past twelve hours befor the court wes fenced, and the baillie oppones the sun dyell being scarce yett twelve acloake.'

1 'James, Duke of Buccleughe and Monmouth.
2 'Robert, Erle off Roxburghe. 1.[1]
3 'Johne, Erle off Tweddalle.
4 'Charles, Erle off Haddingtoune. 4 compeared by proxie
5 'William, Erle off Louthiane. X[2]
6 'William, Erle off Tarras.
7 'Sir William Ker off Greinheid.
8 'Sir William Dowglasse of Cavers.
9 'Sir Johne Riddell of that Ilk.

[1] These figures indicate the number of attendances at the diets noted at the end of this roll.

[2] The signification of the cross appended to some names is not apparent.

10 ' Sir William Scott off Hardine. 5, compeared by proxie.
11 ' Sir Francis Scott off Manjertoune.
12 ' Sir Francis Scott off Thirlestoune.
13 ' Andro Ker off Litledeane.
14 ' James Scott off Thirsletoune.
15 ' Robert Dicksone of Overmaines.
16 ' ——Dicksone of Neathirmaines.
17 ' George Ruthirfuird off Fairneingtoune; excused, 4, 5.
18 ' John Hallyburtoune off Moorhouselaw. 3, 5.
19 ' James Erskine off Sheillfield; compeared be proxie, excused, 4.
20 ' William Scott off Raeburne; compeared by proxie.
21 ' Mr. Johne Stoddart off Camiestoune.
22 ' Thomas Scott off Whitslaid.
23 ' —— Scott off Todrige.
24 ' James Scott off Phaupe.
25 ' James Scott off Brierieyairds.
26 ' William Scott off Clairilaw.
27 ' William Scott off Hassinedeane.
28 ' Walter Glaidstanes in Hawicke.
29 ' —— Scott off Gowddielands.
30 ' Robert Scott off Taandlaw.
31 ' The aires of [William] Scott of Hartwoodmyres.
32 ' The aires of Robert Scott, brother to Todrige.
33 ' William Scott of Broadmeadowes.
34 ' William Chisholme off Haireup.
35 ' —— Meinzies of Ouffcleyd.
36 ' James Wilkiesone in Selkirke.
37 ' Johne Murray of Ouplaw. 1, 2, 3, 4, 5.
38 ' George Pringle off Buckholme. 12, compeared by proxie.
39 ' George Pringle of Blindley. 1, 2, 3, 4.
40 ' Francis Scott off Langshaw. 1, 2, compeared by proxie.
41 ' The aires of Uthreid MacDowgall of Hagburne. 4.
42 ' William Cairncroce off Hilslope. 5, compeired by proxie, 4.

43 ' Walter Cairnecroce off Allanshawes. 4, 5.
44 ' Francis Scott off Columslie. excuses, compeared by proxie, 5.
45 ' John Pringle off Craigend for Colmslie. 1, compeared by proxie, 4, excused.
46 ' Allexander Lithgow off Drygrainge; compeared by proxie.
47 ' Andro Fischer off Westirhousebyres. 1, 2, 3, 4, 5.
48 ' William Cairnecroce of Wester Langley. 1, compeared by proxie.
49 ' The aires of Thomas Bell off Easter Langley. 1, 2, 3, 4, 5.
50 ' William Fischer off Easter Langley. 1, 2, 3, 4, 5.
51 ' Allexander Trotter of Easter Housebyres. 1, 2, 4, 5.
52 ' Mr. James Daes off Coldinknowes.
53 ' The aires off Johne Sheill [in Ercildoun]. 3.
54 ' James Fischer [*sic*].
55 ' ~~The aires off Alexander~~ [*sic*] Fischer of Sorrowlesfield. 1, 2, 4.
56 ' Johne Broune off Parke. 1, 2, 3, 5.
57 ' ~~The aires of William Fischer~~ [*sic*] off Old Melrose.
58 ' Allexander Patersone [*sic*].

' Fewars off Ridpeth

59 ' Mr. Johne Lithgow. excuses him. 4.
60 ' Johne Lithgow. 1, 2, 3, 4, 5.
61 ' Johne Andersone. 1, 2, 3, 4, 5.
62 ' David Denholme. 1, 2, 3, 5.
63 ' Charles Watsone. 1, 2, 3, 4, 5.
64 ' Thomas Myllne. 1, 2, 3, 4, 5.
65 ' Andro Cairnecroce. 1, 4.
66 ' Johne Rodger. 1, excuses him, absent.
67 ' Johne Broune off Parke. 1, 2.
68 ' William Bell. 1, 2, 3, 4, 5.

' Fewars off Lessudden

69 ' Johne Coatt, officer; present, adhers to the protestatione, 2, 4. 5.

70 ' Mungo Gibsone. 1, 2, 3, 4, 5.
71 ' David Kyll.
72 ' James Huntar. 1, 2, 3, 4, 5.
73 ' Walter Gibsone. 1, 2, 3, 4.
74 ' James Eistoune, elder. 1, 2, 3, 4.
75 ' Andro Heittoune.
76 ' The aires of Richard Learmount. 1, 2, 3, 5.
77 ' Johne Riddell, Wester; adheres to protestation. 2, 5, 3, 4.
78 ' Johne Thorburne; adheres to protestation. 3, 5, 4.
79 ' James Purves. 1, 2, 3, 4, 5.
80 ' —— Unes, Laird.
81 ' William Porteous. 1, 2, 3, 4, 5.
82 ' John Porteous. 1, 4. adheres to protestation. 5.
83 ' Robert Cochrane. 1, 2, 3, 4, 5.
84 ' Johne Riddell, Easter. 1, 2, 4, 5.
85 ' Johne Brydden. 4.
86 ' The aires of Patrike Riddell.
87 ' George Pringle. 1, 2, 3, 4, 5.
88 ' Johne Richardsone; adheres to protestation. 4, 5, 2.
89 ' The heretrix off Fotherlie. 1, 2, 3, 4, 5.
90 ' Johne Pattoune, Kill. 1, 2, 4, 5.
91 ' The aires off Robert Campbell.
92 ' Johne Patoune, Easter. 1, 2, 3, 5.
93 ' James Bullman. 3.
94 ' James Eastoune, younger.
95 ' David Unes.
96 ' ~~Mungo Kyll~~. × [*sic*].
97 ' Johne Huntar. 1, 2, 3, 4, 5.
98 ' Mr. James Adamsone.
99. ' Mr. Patricke Rid or his tennent.
100 ' ~~Johne King~~ [*sic*].

' Fewars off Newtoune

101 ' The aires of Johne ——, elder. 5.
102 ' The aires off Thomas Myllne, elder. 1, 4, 5.
103 ' William Ker, Laird. ×

104 ' James Laidlaw. x 1, 2, 3, 4, 5.
105 ' Johne Ker off Shaw.
106 ' Johne Gill, miller.
107 ' Thomas Ker, carrier. x
108 ' Thomas Stenhouse. 1, 4, 5.
109 ' Johne Myllne, officer; adheres to protestation. 2, 3, 4, 5.
110 ' Nicoll Cochrane. x R.
111 ' James Turnbull, or his tenant. 4, 5.
112 ' ~~Johne Myllne younger~~.
113 ' William Myllne. 1, 2, 3, 4, 5.
114 ' The aires of Mungo Myllne. 1, 2, 3, 4, 5.
115 ' Thomas Vair in Bowdeane. 1, 4.
116 ' James Stewart.
117 ' ~~Patricke~~ [*sic*] Adamsone in Kelsoe. 1, 2, 3, 4, 5.
118 ' The aires of George Bullman.
119 ' William Eccles. 1, 2, 4, 5.
120 ' Andro Hiettoune. 1, 2, 3, 4, 5.

' Fewars off Eildoune

121 ' Robert Meine; adheres to protestation. 2, 3, 4, 5.
122 ' Johne Sclaitter. 1, 2, 3, 4, 5.
123 ' James Meine, Silver James. 1, 2, 3, 4, 5.
124 ' James Bowar, elder. 1, 2, 3, 4, 5.
125 ' James Bowar, younger. 1, 2, 3, 4, 5.
126 ' Nicoll Bowar; adheres to protestation, 2, 3, 4, 5.
127 ' George Lourie. 1, 2, 3, 4, 5.
128 ' Johne Vair. 1, 2, 3, 4, 5.
129 ' Robert Leathane; adheres to protestation. 2, 3, 4, 5.
130 ' Johne Meine. x
131 ' Thomas Meine. 1, 2, 4, 5.

' Fewars off Newsteid

132 ' The aires of Adam Turnbull. 4, 5 [?].
133 ' William Sclaitter. 1, 2, 3, 4, 5.
134 ' Andro Meine, Roberts Andro. 1, 4.
135 ' Johne Meine, maltman; adheres to protestation. 2, 3, 4, 5.

136 ' William Fischer. 1, 2, 3, 4, 5.
137 ' John Bunzie, webster. 1, 2, 3, 4, 5.
138 ' Bernard Meine. 1, 2.
139 ' Robert Meine, Dowgaite. 1, 2, 3.
140 ' Robert Forsan. 1, 2.
141 ' Andro Bunyie, weavir. 1, 2, 3, 4, 5.
142 ' Johne Meine, weavir, Cowgaite. 1, 2, 3, 4, 5.
143 ' Andro Meine, meassone. 1, 2, 3, 4, 5.
144 ' James Meine, Byres. 1, 2, 3, 4, 5.
145 ' Johne Meine, Androes Johne. XX
146 ' Andro Meine, Kyll Andro. 1, 2, 3, 4, 5.
147 ' Johne Meine, osler. 1, 2, 3, 4, 5.
148 ' Robert Meine, Davids Robert. 1, 2, 4, 5.
149 ' Robert Bunzie, meassone. X 1, 2, 3, 4, 5.
150 ' Johne Bunzie, officer. 1, 2, 3, 4, 5.
151 ' David Meine, weavir. 1, 2, 3, 4, 5.
152 ' The aires off Robert Trotter.
153 ' James Meine, Gallobarnes, ~~or his tenant~~ [*sic*]. 4.
154 ' Johne Meine, Cuddiebutts. X 3, 4, 5.
155 ' Allexander Meine, meassone. 1, 2, 3, 4, 5.
156 ' James Merser. 1, 2, 3, 4, 5.
157 ' George Meine, Wyndhead. 1, 2, 3, 4, 5.
158 ' Andro Wilsone. 1, 2, 3, 4, 5.
159 ' Robert Meine, Tounhead. 1, 2, 3, 4, 5.
160 ' George Meine, weavir. 1, 3, 4, 5.
161 ' Johne Meine, Isobells Johne. 1, 2, 3, 4, 5.
162 ' William Meine, smith. X 4.
163 ' James Bunzie, weavir. X 5.
164 ' Johne Meine, gloaver. 1, 2, 4, 5.

' Fewars off Melrose

165 ' Johne Ker off Shaw.
166 ' George Mertoune. 1, 2, 3, 4, 5.
167 ' Andro Mertoune. 1, 2.
168 ' James Bowie, miller. 1, 2, 3, 4, 5.
169 ' Patricke Lucup, wreight. R. 1, 2, 3, 4, 5.
170 ' Thomas Lucup.
171 ' Johne Bell, weavir. 1, 2, 3, 4, 5.
172 ' The aires of William Wauch.

173 ‘ James Wauch. 4, 5.
174 ‘ James Edgar; adheres to protestation. 2, 3, 4, 5.
175 ‘ Andro Phaupe; Do. 2, 4, 5.
176 ‘ Andro Tunno; Do. 2, 4, 5.
177 ‘ Johne Lithgow. 1, 2, 3, 4, 5.
178 ‘ Thomas Bell, weavir. 1, 2, 3, 4, 5.
179 ‘ Johne Hoge, weavir. 1, 2, 3, 4, 5.
180 ‘ Johne Bowar. x
181 ‘ The aires of William Wallace, merchant. 1, 2, 3, 4, 5.
182 ‘ George Blaickie; adheres to protestation. 2, 4, 5.
183 ‘ Johne Meine, maltman; Do. 2, 3, 4, 5.
184 ‘ James Wallace, merchant.
185 ‘ Johne Wallace.
186 ‘ Johne Lourie, tayllyeor. 4, 5.
187 ‘ James Myllne. 3, 5.
188 ‘ Adam Lithgow. 1, 2, 3, 4, 5.
189 ‘ Walter Donaldsone. x R. 0, 2, 3, 4.
190 ‘ The aires off Thomas Reidfuird. 1, 2, 4.
191 ‘ The aires off George Eillies, wreight. 1, 2, 4, 5.
192 ‘ Allexander Maxwell. 1, 2, 3, 4, 5.
193 ‘ Johne Penman; adheres to protestation. 2 [?], 4, 5 [?].
194. ‘ ~~Johne Leathead~~ [*sic*]. xxx
195 ‘ Thomas Wilkiesone, clerke; adheres to protestation. 2 [?], 4 [?], 5.
196 ‘ Andro Penman. 1, 2, 3, 4, 5.
197 ‘ James Eillies, Wakerraw. 1, 2, 4, 5.
198 ‘ The aires off George Eillies, Wakerraw.
199 ‘ The aires of Johne Rothy. 1, 2, 3, 4, 5.
200 ‘ James Mertoune, tayllyeor. 1, 2, 3, 4, 5.
201 ‘ The aires off Andro Cuicke. 5.
202 ‘ James Eillies off Huntliewood. 1, 2, 3, 4, 5.
203 ‘ Thomas Lithgow; excuses. 2, 4, 5.
204 ‘ George Wallace; adheres to protestation. 2, 3, 4.
205 ‘ Johne Huntar, cordiner; ‘ formerlie taken.’ 4, 5.
206 ‘ The aires of Margrat Nicoll / Marke Blackie [*sic*]. 1, 2, 3, 4, 5.

'FEWARS OFF DANZIELTOUNE

207 'James Eillies of Huntliewood. 1, 2, 3, 4, 5.
208 'James Patersone, weavir. x 1 ab. 3, 4, 5.
209 'William Gill, weavir. 1, 2, 3, 4, 5.
210 'The aires of Thomas Bickett, herd. 1, 2.
211 'Thomas Mertoune.
212 'The aires off Andro Patersone.
213 'William Lucup, wreight.
214 'Thomas Drummond. 1, 2, 3, 4, 5.
215 'Robert Maebune.

'FEWARS OFF DARNICKE

216 'Andro Hiettoune; adheres to protestation. 2, 3, 4, 5.
217 'George Howname, Bessie's George. 1, 2, 3, 4, 5.
218 'Andro Merser, maltman. 1, 2, 3, 4, 5.
219 'The aires off Allexander Fischer.
220 'William Muddie. 1, 2, 3, 4, 5.
221 'Andro Merser, Wynd. x 4.
222. 'Allexander Waeman.
223 'Allexander Hiettoune. 4, 5.
224 'Robert Hallywall. 1, 2, 3, 4, 5.
225 '~~Johne Thomsone, sclaitter~~ [*sic*]. xxx
226 'Robert Marr. 1, 2, 3, 4, 5.
227 'Johne Ushar. protests conform. 2, 4, 5.
228 'Andro Howname. 1, 2, 3, 4, 5.
229 'Johne Hiettoune, weavir. 1, 2, 3, 4, 5.
230 'William Greirsone. 1, 2, 3, 4, 5.
231 'William Merser, Wall. 1, 2, 3, 4, 5.
232 'Michaell Fischer. 1, 2, 3, 4, 5.
233 'The aires off Andro Drummond. 1, 2, 3, 4, 5.
234 'James Merser, Poole. 1, 3, 4.
235 'Andro Chisholme. 1, 2, 3, 4, 5.
236 'Andro Kennedie, officer. 0, 2, 3, 4, 5.
237 'Andro Rennaldsone; adheres to protestation. 2, 3, 4, 5.
238 'James Cochrane. 1, 2, 4, 5.
239 'Johne Hiettoune, Kocklibber. 1, 2, 3, 4, 5.

240 ' Hewgh Boustoune. 1, 2, 3, 4, 5.
241 ' William Mosse. 1, 2, 3, 4, 5.
242 ' George ——, weavir.
243 ' Walter Ushar. 1, 2, 3, 4, 5.
244 ' Johne Mosse. 1, 2, 3, 4, 5.
245 ' Walter Dalglishe. 1, 2, 3, 4, 5.
246 ' George Merser, Baitsheill.
247 ' The aires of Johne Fischer. 1, 2, 3, 4, 5.
248 ' Robert Bowstane, qwaker. 1, 2, 3, 4, 5.
249 ' George Merser, merchant. 1, 2, 3, 4, 5.
250 ' The aires off George Merser, Lilslie. 1, 2, 4, 5.
251 ' Walter Vair. 1, 2, 3, 4, 5.
252 ' The aires off Jespar Merser.
253 ' William Merser, Byreend. 1, 2, 3, 4, 5.
254 ' Steven Mertoune. 4.
255 ' The aires off George Merser, Laird.
256 ' Andro Smith, tayllyeor. 1, 2, 3, 4, 5.
257 ' James Clappertoune. 1, adheres to protestation, 2, 3, 4, 5.
258 ' Johne Simpsone. 1, 2, 3.
259 ' Isobell Waker. 1.
260 ' The aires off Michael Fischer. 1, 2.
261 ' The aires off Andro Cuicke.
262 ' ~~The aires off Johne Fischer, maltman~~ [*sic*].

' Fewars off Brigend

263 ' Johne Merser, Lochbreast. 1, 2, 3, 4, 5.
264 ' Andro Turnbull. × 1, 2, 0.
265 ' Andro Baittie. 1, 2, 3, 4, 5.
266 ' The aires off Andro Boustoune, Laird. 4, 5.
267 ' The aires off Johne Howname.
268 ' William Merser, 1, 2, 3, 4, 5.
269 ' George Howname. 1, 3, 4.
270 ' Johne Mertoune. 1, 2, 3, 4, 5.

' Fewars off Apletreileaves and Langhaughe

271 ' Andro Darling. 4, 5.
272 ' Mr. Andro Darling. 1 by proxie, 2 by proxie, 5.

273 'The aires of Mr. William Duguid. 1, 2.
274 'Johne Fratter. 1, 2, 3, 4, 5.

'Fewars off Threipwood and Newhouses

275 'Peter Moffat. 1, 2, 3, 4, 5.
276 'James Meine, Gallobarnes. 4.
277 'The aires of William Moffatt, measone. 3, 4, 5.
278 'The aires off Johne Hall.
279 'Johne Lithgow of Newhouses. 1, 2, 3, 4, 5.
280 '—— Williamsone, portioner there. XX
281 'Captane Ramsay.
282 '~~Whitslaid or his tenent~~ [*sic*]. 4, 5.
283 'William Gibsone.

'Fewars off Blainslies

284 'Johne Swonhouse, *or* Mackbehill, or his tenant. 4.
285 'The aires off James Pringle. 1, 2, 3, 4, 5.
286 'James Greive, younger. 1, 2, 3, 4, 5.
287 'The aires off Johne Houlatsone. 1, 2, 3, 4, 5.
288 'Johne Wallace, smith. 1, 2, 3, 4, 5.
289 'Johne Stirling. 1, 2, 3, 4, 5.
290 'The aires of Robert Laidlaw.
291 'William Gray. 5.
292 'Margratt Turner. XX 4, 5.
293 'William Cranstoune of Huntliewood. 1, 2, 3, 4, 5.
294 'The aires of Mr. William Wallace.
295 'James Greive, elder. 1, 2, 3, 4, 5.
296 'Thomas Darling, wreight. 1, 2, 3, 4, 5.
297 'Johne Morray. 1, 2, absent, 3 absent, thereftir compered, 4, 5.
298 'The aires off Johne Thinne. 1, 2, 3, 4, 5.
299 'The aires off Edward Darling. 1, 2, 3, 4, 5.
300 'George Rolmainehouse, younger. 1, 2, 3, 4, 5.
301 'George Rollmainhouse, elder. 1, 2, 3, 4, 5.
302 'James Fischer off Claekmae; adheres to protestation. 2, 4, 5.
303 'Johne Pringalle. 1, 2, 3, 4, 5.
304 'The aires off Edward Rolmanehouse (*deleted, and in margin is* Isobell Rollmainehouse). 1.

305 Allexander Scott. 1, 2, 3, 4, 5.
306 ' William Ker of Broadwoodsheill; adheres to protestation. 3, 4, 5.

' FEWARS OFF GATTOUNSYDE

307 ' William Bell; adheres to protestation. 2, 3, 4, 5.
308 ' Johne Wreight. 1, 2, 3, 4, 5.
309 ' James Cairnecroce, or Tom [?] Moffatt. 3, 4.
310 ' Johne Thomsone. 1, 2, 3.
311 ' Robert Frier. 1, 3, 4, 5.
312 ' Hendrie Myells. 1, 2, 3, 4, 5.
313 ' Thomas Myells. 1, 2, 3, 4, 5.
314 ' Thomas Hallywall. 1, 2, 3, 4, 5.
315 ' George Bertoune. 1, 2, 3, 4, 5.
316 ' Archbald Frier. 1, 2, 3, 4, 5.
317 ' William Boustoune, herd. 1, 2, 3.
318. ' Robert Clerke, merchant. ×
319 ' Thomas Boustoune, Wynd. 1, 2, 3, 4, 5.
320 ' Robert Mene, meassone. 1, 2, 3, 4, 5.
321 ' Robert Boustoune. 1, 2, 3, 4, 5.
322 ' James Leathane. 1, 4.
323 ' Robert Dunnand. 1, 2, 3, 4, 5.
324 ' The aires of Johne Bertoune. 1, 3, 4, 5.
325 ' The aires off James Blackie.
326 ' Robert Ormstoune. 1, 2, 3, 4.
327 ' William Mertoune. 1, 2, 3, 4, 5.
328 ' Margrat Barrie. 0, 2, 3, 4, 5.
329 ' Robert Frier. 1, 2, 3, 4, 5.
330 ' Johne Meine. 1, 2, 3, 4, 5.
331 ' The aires of George Hallywall.
332 ' ~~Jenet Halywall~~ [*sic*]. 2, 4.
333 ' ~~The aires off James Corsbie~~ [*sic*].
334 ' Isobell Thomsone.
335 ' Robert Scott. p. 2, 3, 4, 5.
336 ' Johne Halliwall. 1, 2, 3, 4, 5.
337 ' Thomas Maebone. 1, 2, 3, 4, 5.
338 ' Johne Maebone. 1, 2, 3, 4, 5.
339 ' Robert Phillip. 1, 2, 3, 4, 5.
340 ' George Hoy, Eastcoatt. ×

341 ' Jenet Hallywall, called Nuike. 1, 2, 3, 4, 5.
342 ' Archbald Frier, weaver. x 3, 4, 5.
343 ' Thomas Boustone, Dukedub. 1, 2, 3, 4, 5.
344 ' Andro Hallywall, donator. 1, 2, 3, 4, 5.
345 ' Robert Myells. 1, 2, 3, 4, 5.
346 ' Andro Marr. 1, 2, 3, 4, 5.
347 ' Thomas Mathesone, cupper. 1, 2, 3, 4, 5.
348 ' William Wreight. 1, 2, 3, 4, 5.
349 ' Johne Hallywall, Croce. 1, 2, 3, 4, 5.
350 ' Isobell Boustoune.
351 ' Robert Sheill. 1, 2, 3.
352 ' Thomas Moffatt. 1, 4, 5.

WESTHOUSES

353 ' George Patersone, Cordie. 1, 2, 4, 5.
354 ' Adam Darling. 1, 3, 4, 5.
355 ' Thomas Forrest. 3, 4.

' Att Melrose the eleventh day of March 1682, The baillie passes the haill absents for this day and ordaines them to compear punctuallie when evir they shall [be] called agane att the nixt head courte. (Signed) GEORGE PRINGLE.

' Att Melrose the 6th of May 1682, the baillie fynes each absent from this present head court in the soume of fyftie punds Scots and ordaines precepts to be direct therfore to chairge them for payment of ther respective fynes. (Signed) GEORGE PRINGLE.

' Att Melrose the 13th March 1682, instruments taken in my hand be Robert Whyte, officer and jayllyeor to Blindlie, against Baillie Faa, who asked him who had put one the padlocke upon the tolbuith door, who ouned the doeing therof but denyed the takeing off of the uthir locke, and ther he made offerr of Thomas Bowie and Johne Bowar tua prissoners and requyred him to put them in agane in firmance sieing he had the keyes of the tolbuith, to quhich Baillie Faa answered he was not oblidged to doe but tooke instruments the persones were at libertie and protested that Blindlie was layable for the debt; to quhich Blindlie

replyed that the captione carried no liquid soume but only to remove from certane houses possessit be them, and albeit it wer a liquid soume yet he wes fullie exonered off them sieing he could not command the keyes of the tolbuith to put them in, and therfore left them in Baillies [*sic*] presence to secure them as he thought fitt, uthirwayes to exoner him off them. Thir things were done upon the High Streitt of Melrose att the tolbuith stair foott betwixt nyne and ten hours in the forenoon befor Michael Gibsone, James Wauch and George Blaikie, witnesses called and requyred to the premisses.'

Melrose, 7 October 1682; the bailie fines absentees from this head court in 50 l. each, and ordains precepts to be issued for payment. (Signed) George Pringle.

Melrose, 3 February 1683; as above.
Melrose, 5 May 1683; as above.

'Curia capitalis Regalitatis de Melrose tenta in pretorio ejusdem tridecimo die mensis Octobris millesimo sexcentesimo octuagesimo tertio per Georgium Pringle de Blindlie, ballivum principalem ejusdem; curia legittime affirmata.'

Which day the said bailie caused call the whole heritors, etc., liable to give suit and presence at the said head court, whose names follow. The preceding list is repeated, the only differences being as follows:[1]—

No. 1 is omitted; 5 is omitted; 8 'the aires of Sir William Dowglasse of Cavers'; between 13 and 14 is added 'Allexander Pringle of Whytebanke'; 30 is deleted; 31 William is added as the Christian name; 49 styled 'portioner there'; 53 adds 'in Ersiltoune, except Ja. Dowglass,' and added in another hand 'but the rest are absent'; 54 and 55 read 'James Fischer of Sorrowlesfield'; 57 and 58 read 'Allexander Patersone of Old Melrose.'

[1] I have omitted the figures relative to compearance.

FEUARS OF RIDPETH.—59 adds 'or his tennent'; 63 'the aires of Charles Watsone'; 65 'the aires of Andro Cairnecroce.'

FEUARS OF LESSUDDEN: see *infra.*

FEUARS OF NEWTON: see *infra.*

FEUARS OF EILDON.—Instead of 130 and 131 it reads 'Thomas Meine, Richard Meine, Jenet Meine.'

FEUARS OF NEWSTEAD.—139 adds 'The aires of'; 145 is omitted; 153 'James Meine in Laidlawsteall or his tennent'; 161 'Johne Meine, Tounhead.'

FEUARS OF MELROSE.—165 adds 'or his tenent'; 170 adds 'his brother'; 173 adds 'officer'; after 178 insert 'William Bowar'; 180 'the aires of Johne Bowar, weavir'; 185 is omitted; 187 adds 'the aires of'; 194 is omitted; 195 is only 'Thomas Wilkiesone'; 198 instead of 'Wakerraw' is 'his brother'; 205 'the aires of Johne Huntar'; 206 only 'Margrat Nicoll.'

FEUARS OF DINGLETON.—208 omits 'weavir'; 210 omits 'herd.'

FEUARS OF DARNICK.—216 'the aires of Andro Hiettoune'; 225 is omitted; 238 adds 'tayillyeor'; 239 'Johne Hiettoune, elder'; 242 'George Uscharr'; 243 is omitted; 251 adds 'weavir'; 254 adds 'tayllyieor'; 260 is deleted; 262 is omitted.

FEUARS OF BRIDGEND.—264 adds 'or his tennent'; 266 omits 'Laird.'

FEUARS OF APPLETREELEAVES AND LONGHAUCH.—271 adds 'the aires of'; 272 adds 'or his tennent'; after 274 is added 'Thomas Finlaw.'

FEUARS OF THREIPWOOD AND NEWHOUSES: see *infra.*

FEUARS OF BLAINSLIES.—302 instead of 'Claekmae' is 'Sorrowlesfield'; 304 reads 'the aires of Issobell Rollmainehouse'; 305 adds 'weavir.'

FEUARS OF GATTONSIDE.—309 'James Cairnecroce'; 314 adds 'weavir'; 317 is omitted; 321 adds 'viccar'; 331 is deleted, and 332 is undeleted and written above the last; 333 is omitted; after 339 is inserted 'Thomas Boustoune, Tounehead'; after 340 is inserted 'Walter Vaitch'; 347 'cupper' is omitted.

FEUARS OF WESTHOUSES.—After 355 are added (1) 'Robert Mertoune'; (2) 'James Robiesone.'

The differences in the lists of feuars of the other grounds are so extensive that they are here copied in full, viz.:

FEUARS OF LESSUDDEN

John Coatt, Wester. 1, 2, 3.
Mungo Gibsone. 1, 2, 3.
The heirs of William Maebone in the Grene. 1, 2, 3.
David Kyll, Childreime [*deleted*]. [? 2.]
Andrew Unes. [? 2.]
James Huntar. 1, 2, 3.
Walter Gibsone. 1, 2, 3.
The heirs of John Richardsone. 2, 3.
James Eastoune, elder, or his tenant. 1, 2, 3.
John Unes, tailor.
Andrew Hieton.
The heirs of Henry Coatt.
The heirs of Richard Learmount, or their tenant. 2, 3.
John Riddell, Wester. 1, 2, 3.
John Thorburne. 1, 2, 3.
James Brydden.
James Purves. 1, 2, 3.
David Kyll, smith.
Thomas Unes, Laird.
Thomas Kyll.
William Porteous. 1, 2, 3.
The heirs of Thomas Huntar. 2, 3.
John Porteous. 1, 2, 3.
John Myllne, Laird. 0, 2, 3.
Robert Cochrane. 1, 2, 3.
The heirs of Mungo Purves.
John Riddell, Easter. 1, 2, 3.
The heirs of John Brydden.
The heirs of Patrick Riddell. 1, 2, 3.
John Robiesone.
John Richardsone. 1, 3.
The heretrix of Fotherlie, or her tenant. 1, 2, 3.

The heirs of John Patoune, Kill. 1, 2, 3.
The heirs of Robert Campbell. 1.
John Patoune, Easter. 1, 2, 3.
James Bullman. 1, 2, 3.
Thomas Robsone, flesher.
James Easton, younger.
Robert Thomson, weaver.
David Unes. 2, 3.
The heirs of David Dobsone.
John Huntar. 1.
William Riddell, miller.
John Coatt, Easter.
Mark Kyll.
Mr. James Adamsone, or his tenant.
James Stoddart.
Mr. Patrick Rid, or his tenant. 2, 3.
John Cochrane.
Mungo Kyll, 'Wearsyett.'

FEUARS OF NEWTON

The heirs of John Myllne, elder. 1, 2, 3.
The heirs of Thomas Myllne, elder. 1, 2, 3.
James Laidlaw. 1, 2, 3.
John Ker of Shaw. 1, 2.
John Gill, miller.
Thomas Ker, carrier.
Thomas Stenhouse. 1, 2, 3.
John Myllne, Laird. 1, 2, 3.
Thomas Laidlaw, carrier. 2, 3.
Thomas Myllne, smith.
Jean Dobsone, or her tenant, John Myllne.
The heirs of Mungo Myllne. 1, 2, 3.
William Myllne. 1, 2, 3.
Thomas Vair in Bowdeane, or his tenant.
The heirs of Thomas Cochrane. 2, 3.
James Turnbull, or his tenant. 1, 2, 3.
James Vair. 3.
James Stewart, or his tenant. 1, 2, 3.
The heirs of George Bullman.

William Eccles. 1, 2, 3.
John Wintrop, or his tenant.
Andrew Hiettoune. 1, 2, 3.
The representatives of Nicol Cochrane.
John Myllne, younger.
John Riddell.

FEUARS OF THREIPWOOD AND NEWHOUSES

Peter Moffatt. 1, 2, 3.
Andrew Lithgow. 1, 3.
James Meine, or his tenant. 1, 3.
The heirs of William Moffatt, mason. 1.
The heirs of John Hall.
Thomas Wilsone, or his tenant.
William Gibsone. 1, 3.
Captain Ramsay, or his tenant.
John Lithgow of Newhouses. 1, 3.

Melrose, 13 October 1683.—The bailie fines each absentee from this head court in 50 l. Scots for contumacy, and ordains them to be summarily poinded therefor. (Signed) GEORGE PRINGLE.

Melrose, 9 February 1684.—Ditto.

Melrose, 3 May 1684.—Ditto.

Melrose, 3 May 1684, compeared James Edgar, as procurator for the Earl of Perth, and protested that Blindlie had no commission to hold court, because the said earl was recommended by the Lords of Council to be bailie of the regality and is getting his commission from the king; but Blindlie opponed his commission from the Council empowering him to act as bailie until the king's further pleasure, and he has not as yet heard anything to the contrary; and the bailie protested that James Edgar had no commission from the Earl of Perth to make the foresaid protestation; both parties taking instruments, before calling of the roll.

[On a loose leaf inserted is the following deed, viz.:]

Bond by John Andersone, portioner of Ridpeth, to present David Wood in Brotherstanes before the bailie of the

regality of Melrose to answer at the instance of James Mosse, younger, in Ridpeth, when required; with clauses of relief and registration. The bond is written by John Lithgow, clerk of the regality, and dated at Melrose, 9 February 1684; witnesses, the said John Lithgow, Thomas Myllne, portioner of Ridpeth, and Archibald Frier, procurator fiscal. (Signed) JOHN ANDERSONE, also Thomas Myln, witness, signs; and John Lithgow, notary, signs for the said David Wood, who cannot write.

MELROSE HORNINGS, 1662-1706

REGISTER OF HORNINGS, ETC., KEPT AT MELROSE

'At Edinburgh the fourteine of Januar j^{m} vj^{c} threescoir and two: The quhilk day this register of horninges, relaxatiounes, inhibitiounes and interdictiones, was presentit to me be Thomas Wilkisoun, clerk of the regalitie of Melros, conteining ane hundreth foirscoir saxteine leaffis compting fyve scoir to the hundreth the first nor last nocht being comptit, to be markit on everie leaff therof conforme to the Act of Parliament be me Mr. William Wallace, undersubscriving, deputt marker of the saidis registers to the rycht honorabill Sir Archbald Prymrose of Dalmany, knycht and baronett, Clerk of his Majesties Register Counsell and Rollis, and redelyverit to the said Thomas Wilkisoun to be keipit within the said regalitie day yeir of God and place abonewrittin. (Signed) W. WALLACE.'

1662, February 10. HORNING—James Sheell, portioner of Ersiltone, *against* James Bowstoune called of the Wynd, portioner of Galtonsyde, for refusing to pay to him 87 l. Scots with interest and 10 l. of penalty, contained in his Bond, 3 January 1654, to the deceased Margaret M'Illrie, widow of John Sheell in Ersiltone, and Assignation, 12 May 1654, by her to the complainer, and Decreet, 4 July 1657, at the complainer's instance before the bailies of regality of

Melrose; on a charge of fifteen days. Dated Edinburgh, 12 December 1661.

Executions: 4 January 1662, by William Kirkwood, messenger, against James Boustone, personally apprehended; witnesses, Thomas Boustoun and Robert Mein, portioners of Galtonsyde; and 28 January 1662, by the same, at the market cross of Jedburgh (head burgh of the shire in which the defender lives); witnesses, James Pringle, messenger in Kelso, and William Boustoune, portioner of Galtonsyde.

April 7.

INHIBITION—Mr. John Reid, eldest lawful son of the deceased Mr. Alexander Reid, minister at Askirk, *against* Alexander Ridpeth, wright in Melros, who gave Bond, 27 January 1654, to repay to the complainer 500 merks borrowed, with interest and 50 merks of penalty, and in security wadset to him 'that tenement and onsteid of houses high and laighe, bak and foer, with easter and wester yairds, fruit trees and incresse therof, with the perteinents of the samyne, lyand within the precinct of Melros and schireffdome of Roxburgh, and all and haill — aikers of land within the toune and lands of Danyeltone, personage and viccarage teynds therof, with the pertinents'; but now he intends to dispone the same and his other heritage and fraudfully disappoint the complainer of payment. He is therefore forbidden so to act till first the debt be satisfied. Dated Edinburgh, 30 March 1662.

Executions: 24 and 29 March 1662, by William Kirkwood, messenger, against Alexander Ridpeth personally apprehended; witnesses, Archibald Frier in Melros, and William Nivin, servitor to Patrick Hepburne of Smeitoun. Also at the market crosses of Jedburgh and Melrose, forbidding the lieges to transact business with him while under inhibition; witnesses (at Jedburgh) James Bullarwall and William Broune, burgesses of Selkirk; (at Melrose) William Wallace, weaver there, and Thomas Lythgow, indweller there.

June 13. INHIBITION—William Wilsone, weaver in Longhaughe, *against* Mr. William Duguid, minister, portioner of Appeltrieleaves, who with consent of Barbara Cairncroce his spouse entered into contract with the complainer, 23 December last, to lease to him his lands of Longhaughe called the Braidehaughe, with teindsheaves and other teinds included, and whole pertinents, with grass and pasturage for thirty sheep and a horse 'to be pastured through the outfeild ground wher the rest of the Longhaughe bestiall pasturs,' together with his part 'of the Longhaughe hauch with ane hous and ane yaird perteining to him lyand and bounded as followes, to witt, the house lyand on the east syde of John Frater, elder, his peill, and the yaird on the eist syde of his aple yaird,' in lordship and regality of Melrose, and that for three years after expiry of a year's Tack granted at Melrose, 4 June 1660, by the said Mr. William to the complainer and William Wilsone in Gallowsheells of the said subjects, which expires at Whitsunday 1663, when entry to the said 'house, yaird and halfe grasse' is to begin. The present tack is granted in security for 1000 merks borrowed by the said Mr. William and repayable at Whitsunday 1666, with 100 l. of penalty, he retaining the interest thereof in name of tack duty, while he obliged himself to remove the said William Williamsone [*sic*] at expiry of the first tack and enter the complainer to possession, and cause the said Barbara Cairncroce signify her consent judicially. Edinburgh, 13 May 1662.

Executions: 20 and 22 May 1662, William Kirkwood, messenger, against Mr. William Duguid, personally apprehended; witnesses, Andrew Darling, portioner of Appeltrieleaves, and James Darling, his brother. At the market cross of Jedburgh, witnesses, William Crumbie and William Scugall, burgesses of Jedburgh; at the market cross of Melrose, witnesses, William Wallace and Robert Mar, weavers there.

June 24. INHIBITION—James Crawfuird, maltman, portioner of Lasuden, *against* Janet Coitt, only lawful daughter and

heir now in life of the deceased Henry Coitt, portioner of Lassudden, who in 15 December 1657 with consent of his said daughter, in security for a loan of 300 merks, sold and wadset to the complainer six rigs or roods of land in Lassudden 'of the infeild of ane quarter of land ther, with the perteinents of the samyne, then possest be the said umquhill Hendrie,' in the town and territory of Lassudden; and not being infeft holding of John, Earl of Hadingtone, they obliged themselves to procure infeftment and thereafter put the complainer in possession. Likewise the said Janet Coitt granted Bond, 28 January last, to the complainer for 30 l. Scots of borrowed money, to be repaid with a year's interest and 4 l. of penalty, secured over her quarter of outfield land in Lassuddene, with teinds, as above. Edinburgh, 14 June 1662.

Executions: 21 June 1662, William Kirkwood, messenger, against Janet Coitt, personally apprehended; witnesses, Mark Kyll, indweller in Lessuden, and Thomas Wilkiesone, clerk of Melrose. At the market cross of Jedburgh, witnesses, James M'Cubie, burgess of Jedburgh, and Thomas Porteous, indweller there. At the market cross of Melrose, witnesses, Andrew Phaupe, officer, and Mungo Donaldsone and James Mylne, indwellers there.

July 19.

HORNING—Robert Bunzie, younger, mason in Newsteid, *against* John Andersone, portioner of Ridpeth, in respect of his Bond, 8 February 1661, to the complainer for 36 l. Scots of borrowed money, repayable at Martinmas thereafter under pain of doubling the same. Dated Edinburgh, 20 May 1661.

Executions: 22 May 1662, William Kirkwood, messenger, against John Anderson; witnesses, Thomas Wilkiesone, clerk of Melrose, and John Youn, portioner of Ersiltone. 9 July 1662, by Robert Home, messenger, at the market cross of Dunce; witnesses, Robert Lychtoune, messenger at Dunce, and George Marchell there. 17 July 1662, by William Kirkwood, messenger, at the market cross of Melrose;

witnesses, Andrew Phaupe, officer at Melrose, and James Burne, weaver there.

July 29. HORNING—James Ellies of Huntliewood, *against* Thomas Law, weaver in Melrose, to obtemper Decreet, 30 July 1661, at complainer's instance before the Sheriff of Roxburgh against him to remove with wife, family and servants, from the complainer's tenement of land in Litle Fordell, with pertinents, in the town and territory of Melrose. Edinburgh, 24 June 1662.

Executions: 1 July 1662, by William Kirkwood, messenger, against Thomas Law; witnesses, James Gray, servitor to Patrick Hepburne of Smeatoune, and John Jacksone, nephew to Gideon Jacksone of Lochhouses. 18 July 1662, by the same, at the market cross of Melrose; witnesses, Andrew Phaupe, officer in Melros, and James Ellies called Litle, portioner there. 19 July 1662, by Thomas Cranstone, messenger at the market corss of Jedburgh; witnesses, John Rutherfurd, sheriff officer of Roxburghshire, and Adam Turnbull, servitor to Andrew Crumbie, sheriff clerk.

October 14. HORNING—James Ellies, portioner of Danyeltone, *against* James Merser, portioner of Darnick, called of the Pooll [?] and Andrew Merser, his eldest lawful son, who granted bond to him on 18 November 1652 for 400 merks, 40 l. penalty, and half a year's interest from Martinmas then last bypast to the term of Whitsunday 1653. Dated Edinburgh, 30 October 1661.

Executions: 26 August 1662, William Kirkwood, messenger, against them personally apprehended; witnesses, Alexander Fisher and Richard Boustone, portioners of Darnick. 14 October 1662, same messenger, at the market cross of Jedburgh; witnesses, John Bunyie, sheriff officer, and Michael Gibsone indweller in Melros; and at the Market cross of Melrose; witnesses, John Penman and John Broune, indwellers there.

HORNING—John Mosse, elder, portioner of Darnick, *against* John Mosse, younger, portioner there, who with consent of Helen Mosse his wife granted Discharge, 11 March last, to the complainer for 400 merks due by him to them in terms of Contract of Marriage, 2 October 1657; and exonered him of all payment, and all the said Helen Mosse, daughter to the complainer, could claim of portion from him or his wife by their respective deceases; and obliged himself to cause Helen Mosse judicially ratify the same. Dated Edinburgh, 4 November 1662. November 24.

Executions: 12 November 1662, William Kirkwood, messenger, against them personally apprehended in their dwelling house of Darnick, to fulfil the Discharge and pay 200 ℓ. Scots of expenses to the complainer; witnesses, Nicol Merser, portioner of Darnick, and William Mosse, servitor to the said John Mosse. 20 November 1662, by Thomas Cranstone, messenger, at the market cross of Jedburgh; witnesses, Andrew Rutherfurd called Tounehead, and William Scugall, merchant, burgesses of Jedburgh. 20 November 1662, by William Kirkwood, messenger, at the market cross of Melrose; witnesses, Robert Mar and John Louckup, weavers in Melrose.

SUSPENSION—John Mosse, younger, portioner of Darnick, *against* John Mosse, elder, portioner there, relative to the letters at the latter's instance charging him to cause Helen Mosse his wife judicially ratify the foresaid Discharge, and pay 200 ℓ. of expenses: *Because* the Discharge is in itself imperfect and incompetent, the cause thereof unfulfilled, and the deed itself undelivered, and could not be delivered to the charger, in respect that the complainer having married Helen Mosse, one of the charger's daughters and heirs of line, he had by their Contract of Marriage good title to the equal half of the complainer's lands and estate, yet lately at the earnest desire of the charger and friends he came to a friendly meeting and there for keeping peace and agreement it was considered upon mutually 1663. January 6.

that the charger should grant bond to the complainer for 200 merks, and assign bonds and papers in security, and the complainer would grant a discharge of all he could claim by the contract of marriage and all the said Helen Mosse could claim as portion by the death of her said father or Marion Ushar his spouse. The bond and assignation were thereupon drawn up on the charger's part and the discharge on the complainer's part, and signed only by one notary for the part of the said Helen Mosse, which deeds were then deposited by both parties in the hands of William Fisher of Old Melros upon trust to be kept by him and on no account to be delivered up to either party till the charger paid the said 200 merks and fulfilled the other conditions and until another notary should subscribe for the said Helen Mosse as conotary, in respect it was for a matter about 100 l. and a matter of heritage, and until both parties should be present and exchange by mutual consent. Notwithstanding whereof the said John Mosse, elder, most subtilly came to the said William Fisher and after much entreaty prevailed with him to lend him the discharge for a night's time to advise thereupon, upon his faithful promise to return it as he received it, to be retained undelivered till the bargain was consummated and another notary subscribed; but the said John Mosse most perfidiously caused register the deed, and thereupon letters of horning have been raised and executed and the complainer seized by letters of caption and imprisoned in Melros tolbooth; and the extract of the Discharge, shown to the Lords of Council and Session, bears only one notary's subscription, to prove the above allegation. For thus basely and inhumanly breaking his faith the charger ought to be punished and esteemed infamous and perfidious. Nevertheless, the complainer has found caution to obey the charge if found liable. Charge is therefore given to John Mosse, elder, to compear before the Lords of Council and Session on 1st January next, and suspension is granted to the complainer till the 10th, and order is given to the bailie of the regality of Melrose and his deputes to put him at

liberty, Nicol Kennidie, mason, burgess of Edinburgh, having become cautioner for the complainer. Dated Edinburgh, 16 December 1662.

Executions: 2 January 1663, by William Kirkwood, messenger, at the market cross of Jedburgh, delivering the wand of peace to John Rutherford, sheriff officer of Roxburghshire; witnesses, John Ainslie, present bailie of Jedburgh, and Archibald Rutherford, notary there. Also at the market cross of Melrose, delivering the wand of peace to William Wallace, merchant in Melros; witnesses, the said William Wallace, and James Ker, elder, there.

February 26.

INHIBITION—James Ellies of Huntliewood *against* George Blaikie, portioner of Melros, who granted bond on 4 February 1662 to the complainer for 80 l. Scots, with 10 l. of expenses. Dated Edinburgh, 18 February 1663.

Executions: 24 February 1663, William Kirkwood, messenger, against him personally apprehended; witnesses, Michael Gibsone and James Burne in Melros. Same day, at the market cross of Melrose; witnesses, the said James Burne, and Robert Mar, weaver in Melrose. 26 February 1663, at the market cross of Jedburgh; witnesses, William Bullarwall and Thomas Porteous there.

March 4.

HORNING—(produced for registration by Robert Bunyie, mason in Newsteid) Robert Bunyie, portioner of Newsteid, *against* John Andersone, portioner of Ridpeth, who granted bond, 12 December 1657, to Janet Mein, widow of Thomas Bunyie, portioner of Newsteid, the complainer's father, for 50 merks, repayable to her, whom failing, to the complainer, with 5 l. of penalty; which Bond the said Janet Mein assigned to the complainer, 9 December 1662. Dated Edinburgh, 31 January 1663.

Executions: 24 February 1663, by William Kirkwood, messenger, against the said John Anderson, by affixing a copy on the door of his dwelling house; witnesses, Mr. James Monteeth in Ridpeth, and

George Bell, portioner there. 3 January [*sic*] 1663, at the market cross of Melrose; witnesses, John Mar, weaver in Melrose, and George Blackie, portioner there.

September 2. HORNING—John, Earl of Hadingtone, Lord Binning and Byres, *against* William Wright, smith, indweller in Galtonesyde, who granted Bond, 26 October 1661, to pay to him 60 l. Scots, viz. 20 l. at Candlemas thereafter, and 20 l. at Lammas thereafter, and 20 l. at Candlemas 1662, with 5 l. of expenses for each term's faillie, and whereupon Decreet, 3 January 1663, by the bailie-depute of the regality of Melrose, was obtained. Also *against* William Fisher, younger, portioner of Darnick, to obey Decreet, 20 June last, by the said bailie-depute, ordaining him to pay to the complainer 84 l. 15 s. 6 d. Scots due for the half of the feu-farm duties of his lands in Darnick for crop and year 1662, 20 l. due by his Bond to the complainer dated . . ., and 23 l. 6 s. 8 d. due for the feu duty of his lands in Darnick at Whitsunday last, extending in all to 130 l. 19 s. 4 d. Dated Edinburgh, 6 August 1663.

Executions: 13 August 1663, by William Kirkwood, messenger, against William Fisher personally apprehended; witnesses, Michael Fisher and John Heitoun, portioners of Darnick, 29 August 1663, by the same, at the market cross of Jedburgh; witnesses, William Bullerwall, burgess of Jedburgh, and James Bullerwall, his son; and at the market cross of Melrose, witnesses, Francis Hepburne, lawful brother to Patrick Hepburne of Smeatoune, and James Ker, elder, in Melrose. [No mention of William Wright in the executions.]

September 2. HORNING—Gideon Jaksone of Lochhouses *against* Walter Cairncroce, lawful son of William Cairncroce of Allanshawes, who granted Bond, 28 February last, to the complainer for 500 l. Scots, with 10 l. of expenses. Also *against* the said William Cairncroce for 100 merks, with 10 l. of expenses, contained in his Bond to the complainer. 28 October 1662. Dated Edinburgh, 6 August 1663.

Executions: 12 August 1663, by William Kirkwood, messenger, against William and Walter Cairncroce, by affixing copies at their dwelling house in Threepwood; witnesses, James Stoddert, and Nicol Cairncroce, second lawful son of the said William. 29 August 1663, at the market cross of Jedburgh; witnesses, William Bullarwall, burgess of Jedburgh, and James Bullarwall, his son; and at the market cross of Melrose; witnesses, Francis Hepburne, 'potingar' in Edinburgh, and James Ker, elder, in Melros.

October 30.

INHIBITION—Andrew Bulman in Long Newtoune *against* Andrew Riddell in Lassudden, and Patrick Riddell, his brother, in respect of Bond, 26 February 1658, by the former, with the latter as cautioner, to the complainer for 300 merks, with 20 l. of expenses, containing obligation by the said Andrew not to sell or dispone a 'quarter of land' formerly pertaining to the said Patrick and now to him, without consent of the complainer. Dated Edinburgh, 20 October 1663.

Executions: 29 October 1663, by William Kirkwood, messenger, against Andrew and Patrick Riddell at their dwellings; witnesses, David Kyll, smith in Lassudden, and John Uns, portioner there. Same day, at the market cross of Jedburgh; witnesses, —— M'Cubbie, bailie of Jedburgh, and John Porteous, merchant there; and at the market cross of Melrose, witnesses, James Ker, elder, there, and Mungo Donaldson, portioner there.

November 3.

HORNING—James Ellies of Huntliewood *against* Walter Scot, portioner of Melrose, for 120 l. Scots due by him to James Ellies *alias* Litle in Melrose conform to decreet arbitral on their mutual submission, dated at Melrose, 28 October 1662, in satisfaction to the complainer of the sum of 100 merks, with 10 l. of expenses, due by the said James Ellies *alias* Litle to the complainer by Bond, 30 October 1643, and Decreet obtained by the complainer

herefor 20 June last. Dated Edinburgh, 24 September 1663.

Executions: 9 October 1663, by William Kirkwood, messenger, against Walter Scot, at his dwelling house; witnesses, John Penman and William Wallace, portioners of Melrose. 30 October 1663, by the same, at the market cross of Jedburgh; witnesses, John Porteous and William Bullerwall, burgess of Jedburgh; and at the market cross of Melrose; witnesses, Mungo Donaldsone and George Blaikie, portioners there.

1664. March 16. HORNING—William Curror in Lindeane *against* William Fisher of Westerhousebyres for 250 merks, with 16 l. of expenses, due by Bond, 1 June 1660, and *against* Thomas Cochrane of Newtoune who became cautioner, 29 July last, for William Fisher's paying the same if found liable at discussing suspension; and Decreet 23 January last by the Lords of Council and Session finding the charge orderly proceeded and ordaining payment to be made. Dated Edinburgh, 13 February 1664.

Executions: 27 February 1664, by William Kirkwood, messenger, against both personally apprehended; witnesses, Adam Turnbull, mason, portioner of Newsteid, and Andrew Andersone, burgess of Selkirk (to charge given to William Fisher), and John Mylne and Nicol Cochrane, portioners of Newtoune (to charge given to Thomas Cochrane). 15 March 1664, by the same, at the market cross of Jedburgh; witnesses, Robert Elliot in Lennope, and William Bullerwall, lawful son of William Bullerwall, burgess of Jedburgh; and at the market cross of Melrose, John Mar, weaver there, and George Wilsone, weaver in Longhaughe.

July 11. HORNING—John, Earl of Haddington, *against* John Lithhead, flesher, burgess of Selkirk, on Bond, 24 June 1663 to complainer for 50 merks, with 10 merks of penalty. Dated Edinburgh, 26 May 1664.

Executions: 2 June 1664, by William Kirkwood, messenger, against John Lithhead at his dwelling house; witnesses, John Mar and William Wallace, weavers in Melrose. 11 July 1664, by the same, at the market cross of Selkirk; witnesses, Francis Murray, messenger there, and Andrew Andersone, merchant there; and at the market cross of Melrose; witnesses, John Mar and William Wallace, weavers in Melros.

August 20.

INHIBITION—Robert Ker of Fadonesyd *against* William Ker, portioner of Newtoune, in respect of Bond by him to Thomas Ker of Newtoune, his brother, assigned by the said Thomas to the complainer, and sums due by the said William for relief of the said Thomas, who was cautioner for him to creditors. [No dates or sums mentioned.] Dated Edinburgh, 4 July 1664.

Executions: 28 and 29 July 1664, by William Kirkwood, messenger, against William Ker personally apprehended; witnesses, John Mylne and Thomas Stenhous, portioners of Newtoune. 29 July 1664, at the market cross of Jedburgh; witnesses, William Skugall and John Porteous, indwellers there; at the market cross of Melrose, James Ker, elder, there, and William Wallace, weaver there.

1665. February 28.

HORNING—John, Earl of Hadingtone, *against* William Fisher, younger, portioner of Darnick, for 140 l. 11 s. 4 d. of feu-duty for the lands in Darnick held of the complainer, for Whitsunday and Martinmas 1664, with 8 l. of expenses, and the like sum yearly in time coming during his possession, conform to Decreet, 19 November last, by the bailie-depute of the regality of Melrose. Dated Edinburgh, 23 December 1664.

Executions: 10 January 1665, by William Kirkwood, messenger, against him personally apprehended; witnesses, Andrew Fisher of Westerhousebyre, and James Edgar in Melrose. 16 February 1665, at the market cross of Jedburgh; witnesses, William

Broune, bailie there, and Adam Porteous there; and at the market cross of Melrose; witnesses, Andrew Phaupe, officer there, and John Mar, weaver there.

March 8. INHIBITION—John Howlatsone, lawful son of deceased John Howlatsone, indweller in Ersiltone, and violer in Edinburgh, *against* John Davidsone, portioner of Blainslie, indweller in Ersiltone, for 400 merks due by his Bond, 4 October last, to the complainer, with promise to infeft him in an annual rent of 16 l. Scots secured over his half husband land, presently possessed by Margaret Turner his mother, pertaining to him heritably, with houses, yards, orchards, and pertinents, in the town and territory of Blainslie, with 40 l. of penalty; also for 100 merks due by his Bond, 20 October last, to the complainer, and 20 merks of penalty. Dated Edinburgh, 20 January 1665.

Executions: 7 March 1665, by Thomas Cranstone, messenger, at the market cross of Jedburgh; witnesses, Thomas Porteous, merchant burgess of Jedburgh, and John Thomson, one of the ordinary officers of the sheriffdom of Roxburgh, 27 March 1665, by William Kirkwood, messenger, against him, personally apprehended; witnesses, James Waughe, wright in Melrose, and Andrew Mosse, servitor to Andrew Mein, portioner of Newsteid. Same day, at the market cross of Melrose; witnesses, James Ker, elder, and Thomas Blakie in Melrose.

1666. July 18. HORNING—John Sheill, indweller in Blanislie, *against* John Sounhous, portioner of Blanislie, and John Greive, portioner there, his cautioner, in respect of Bond, 20 June 1663, to the complainer for 589 merks, with 50 merks of penalty, and Decreet, 13 June 1666, of the bailie of regality for payment. Dated Edinburgh, 20 June 1666.

Executions: 10 July 1666, by Andrew Phaupe, messenger, against the principal, at his dwelling house; witnesses, Mr. John Waughe, schoolmaster at Melros, James Sounhous in Blanislie, and Patrick Sandielands there. 17 July 1666, by Thomas Cranstone,

messenger, at the market cross of Jedburgh; witnesses, George Buchane, skinner, burgess of Edinburgh, and John Thomsone, sheriff officer. 18 July 1666, by Andrew Phaupe, messenger, at the market cross of Melrose; witnesses, John Bunyie, elder, portioner of Newsteid, and John Lithhead, portioner of Melrose.

October 18.

HORNING—Andrew Bulmane in Long Newtoune *against* Thomas Unes in Lassudden, son and heir of deceased John Unes, to fulfil Decreet of the Sheriff of Roxburgh, 23 January 1666, ordaining him to pay to the complainer, as assignee of deceased Stephen Bulman, his father, the sum of 100 ℓ. Scots contained in two Bonds by said deceased John Unes in Lassudden and James Rutherfurd, smith there, conjointly, to the said deceased Stephen, and 22 ℓ. of bygone annual-rents, and 9 ℓ. of expenses. Dated Edinburgh, 20 September 1666.

Executions: 24 September 1666, by Andrew Phaupe, messenger, against him personally apprehended; witnesses, John Coitt, officer, portioner of Lassudden, and Mark Kyll, servitor to David Kyll, smith, portioner there. 16 October 1666, by Thomas Cranstone, messenger, at the market cross of Jedburgh; witnesses, James Waughe, indweller in Melrose, and James Madder, sheriff officer of Roxburgh. 17 October 1666, by Andrew Phaupe, messenger, at the market cross of Melrose; witnesses, John Bowstoune, portioner of Darnick, Andrew Penman, portioner of Melrose, and George Ellies, weaver there.

1667. March 16.

INHIBITION—Agnes Rutherfuird, widow of George Adamsone in Longnewtoun, and Mr. James Adamsone, her eldest lawful son, *against* Patrick Riddell, portioner of Lassudden, who granted Bond, 7 February instant, for 1000 merks borrowed from the said Mr. James Adamson, and promised in security thereof to infeft him in fee and the said Agnes Rutherfuird in liferent in an annual-rent of 40 ℓ. or thereby

upliftable from his half husband land and whole onstead of houses and yards in Lassudden, in the town and territory thereof. Dated Edinburgh, 21 February 1667.

Executions: 26 February 1667, by Andrew Phaupe, messenger, against him (personally apprehended); witnesses, William Kyll in Lang Newtounmylne, and William Bowar in Melrose. (Same day), at the market crosses of Jedburgh and Melrose; witnesses at former, John Douglas, gardener in Meidshealls, and William Dowglas in Easter Undlie; and at latter, Thomas Law and George Ellies, weavers in Melrose.

August 12. SUSPENSION—Adam Lythgow in Melros, James Patersone there, John Bell there, Thomas Bell there, Andrew Wallace there, George Uschar in Darnick, John Halywall in Galtonesyde, John Halywall Faw there, Thomas Halywall there, James Mar there, James Mean in Newsteid, and James Mylne in Newtoun, weavers, *against* David Weems, merchant in Dundee, who has charged them to pay to him or his factors certain fines and penalties for infringing Act 43, Session 1 of Parliament [*sic*] anent the breadth of linen cloth; but the charge is general, and the fine if due is not payable to him but to sheriffs, stewards, and bailies of regality, and they being convened before the regality court of Melrose for the said offence have paid their fines already to the procurator-fiscal. John Scot of Galtonesyde becomes cautioner for their obtempering the charge if found liable. Dated Edinburgh, 8 August 1667.

[No executions.]

October 30. INHIBITION—George Wallace, notary in Melrose, *against* William Ker, portioner of Newtoun, who gave Bond, 19 August 1661, to Mr. Michael Wallace, portioner of Melrose, for 300 merks, with 30 merks of expenses, who assigned the same on 20 May 1663 to the complainer. Dated Edinburgh, 24 September 1667.

Executions: 28 October and 26 November 1667, by Andrew Phaupe, messenger, against William Ker,

at his dwelling house, and at the market crosses of Jedburgh and Melrose; witnesses, Robert Young in Melrose, George Blaikie there, Thomas Drydone, burgess of Jedburgh, John Maben, commissary officer in Maxtone.

HORNING—Rutherford and Adamson *against* Riddell (as 16 March *supra*). Dated Edinburgh, 27 August 1667. November 29.

Executions: 14 November 1667, by Andrew Phaupe, messenger, against Patrick Riddell personally apprehended; witnesses, George Buckholme in Longnewtoune, and George Bulman there. 26 November 1667, at the market cross of Jedburgh, by the same; witnesses, Thomas Drydone, burgess of Jedburgh, and Adam Madder, burgess there. 27 November 1667, at the market cross of Melrose, by the same; witnesses, John Litheheid, portioner of Melrose, and Michael Gibsone there.

HORNING—John Kerr, portioner of Melrose, *against* Thomas Law, weaver there, for 41 l. 18 s. 8 d. Scots in terms of Decreet of regality court of Melrose, dated . . ., and 10 l. of expenses. Dated Edinburgh, 30 July 1668. 1669. February 26.

Executions: 11 August 1668, by Andrew Phaupe, messenger, *against* Thomas Law, personally; witnesses, Alexander Ridpeth, wright in Melrose, and Thomas Bell, weaver there. 23 and 24 February 1669, by the same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh) George Madder, cordiner burgess there, and John Robsone, skinner burgess there; (at Melrose) William Wallace in Melrose, Markie [*sic*] Blaikie there.

INHIBITION—John Houlatsone, musician, burgess of Edinburgh, *against* John Wallace, younger, eldest lawful son of John Wallace, smith, portioner of Blainslie, who on 20 October 1669 ratified a Disposition, 23 and 25 May 1668, by him and his father, with consent of Thomas Lythgow, eldest lawful son procreated between deceased James Lythgow of Drygrainge and deceased Isobel Hardie his 1670. June 3.

first spouse, to the complainer irredeemably of their half husband land in Blainslie, with pertinents, sometime belonging to deceased John Davidsone in Blainslie, thereafter to the said deceased Isobel Hardie and James Lythgow, thereafter to Thomas Lythgow, their son, and thereafter to the said deceased John Wallace in liferent and his son in fee, as principal, and their husband land in Blainslie and half husband land there called Cairtersecroft, with pertinents, in the town and territory of Blainlsie, in warrandice. Dated Edinburgh, 7 April 1670.

Executions: 2 June 1670, by Andrew Phaupe, messenger, against John Wallace, personally; witnesses, his father John Wallace, smith, Thomas Watsone and William Hall, in Blainslie. 23 June 1670, by the same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Andrew Mader, burgess there, and John Robiesone, skinner burgess there; (at Melrose), William Wallace, weaver, portioner of Melrois, and George Adamsone, smith there.

1671. April 6. SUSPENSION—Robert Trotter of Eisterhousbyre *against* John Trotter, his eldest lawful son, and Isobel Lythgow his spouse, who have charged him to infeft them in conjoint fee, and their heirs in fee heritably, in the room and lands of Eisterhousbyre, with teinds, and his lands in the town of Newsteid, with teinds, 'reservand alwayes to him and Barbra Eillies his spouse dureing all the dayes of the said compleiner his lyfetyme and of the saids tennandries of land of Eisterhousbyre or Newsteid efter the solemnizatione of the mariadj eftermentionat, as als reservand to the said Barbra Eillies efter his deceise their onsteid and yeards perteaneing therto in Newsteid togidder with tua aikers of his mae aikers of land lyand within the toun of Newsteid togidder alsoe with that parcell of land called the Wellmeidow dureing her widowheid,' conform to Contract of Marriage, 2 October 1658, between said John Trotter and his son on one part and James Lythgow of Drygrainge, and said Isobel, his lawful daughter, on other

part, and Decreet, 2 May 1661, by the bailie of regality of Melrose thereupon; and for nonfulfilment have imprisoned him in the tolbooth of Jedburgh, where he remains, being above eighty years old. He alleges that before fulfilment of his part, his said son was by the said contract obliged to pay to him the portion he received with the said Isobel, for a provision to the rest of his children. Besides, he granted precept in the said Contract for infefting the said Isobel Lythgow in the above subjects, and conform thereto she has taken infeftment; and at his son's request he subscribed several wadset rights and heritable bonds, whereon sasine has followed, in favour of his son's creditors, viz. Walter Scott of Gladswood, James Eillies of Huntliewood, John Mein, portioner of Newsteid, and Alexander Trotter, his second brother, all for the charger's behoof. Further, his son's unnatural treatment of him, by so imprisoning him, in respect of his age, and that for a twelve month he was not out of his bed and cannot walk one foot, and his son's riotous living, whereby his whole fortune and estate is ruined and he has now nothing to maintain himself with, merit the compassion of the Lords of Council and Session, and in respect thereof the letters ought to be suspended. Nevertheless, he has consigned in the hands of Sir William Bruce, Clerk of the Bills, a charter subscribed for infefting his son and the said Isobel Lythgow in the foresaid lands, to be given up to them if found that it ought to be done, and John Broun, portioner of Newsteid, is cautioner for his escheat. Dated Edinburgh, 22 March 1671.

Executions: 25 March 1671, by Robert Ainslie, messenger, at market cross of Jedburgh, delivering the wand of peace to Robert Trotter, son of the suspender; charging also Andrew Ainslie, provost, John Haswell, Andrew Rutherfoord and William Rutherfoord, bailies of Jedburgh, to set at liberty the suspender out of their tolbooth; witnesses, John Whyte, merchant in Jedburgh, Thomas Rutherfoord, skinner there, and John Foulden, merchant

there. 28 March 1671, by Andrew Phaupe, messenger, at the market cross of Melrose, delivering the wand of peace to Robert Trotter his son; witnesses, William Wallace, weaver, portioner of Melrose, James Wallace, smith there, Thomas Gray, indweller there, and Archibald Tuno, servitor to Andrew Tuno, notary public, portioner there.

October 6. HORNING—Walter Scott of Raeburne *against*. David Uns in Lessudden to obtemper Decreet of removing, 8 July last, by the bailie-depute of the regality of Melrose, at complainer's instance ordaining him to remove from a half husband land in Lessudden, with whole onstead, houses and pertinents, sometime possessed by Andrew Bryden there, in the parish of St. Bouswalles, and of which the complainer is heritable proprietor. Dated Edinburgh, 1 August 1671.

Executions: 18 September 1671, by Andrew Phaupe, messenger, against David Uns, personally; witnesses, David Kyll Childrein [*sic*], portioner of Lessudden, and John Robiesone, portioner there. 4 and 5 October 1671, by the same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh) George Rutherfoord, burgess of Jedburgh, and Thomas Dryden, burgess there; (at Melrose) John Leitheid, portioner there, and John Merser, merchant there.

October 28. HORNING—James Edgar, procurator fiscal of the regality of Melrose, *against* Adam Darleing, portioner of Westhouses, for a fine of 50 l. Scots imposed for 'strykeing and blooding' William Mertone of Westhouses, by decreet of the bailie of regality on 1st July instant. Dated Edinburgh, 20 July 1671.

Executions: 16 August 1671, by Andrew Phaupe, messenger, against him at his dwelling; witnesses, Andrew Kennedie, officer, portioner of Darnick, and William Ormstone, tailor in Westhouses. 26 and 27 October 1671, at the market crosses of

Jedburgh and Melrose, by the said messenger; witnesses (at Jedburgh), Thomas Drydone, burgess of Jedburgh, William Rutherfoord, burgess there; (at Melrose) William Andersone, merchant there, and Thomas Reidfoord, portioner there.

1672. January 4.

INHIBITION—Mr. David Haliburtone, son of Thomas Halliburton of Neumainse, *against* Thomas Unss, portioner of Lessudden, who gave Bond, 3 April 1667, to him for 439 l. Scots of borrowed money, and for annual rent of 25 l. 10 s. in security upliftable from his seven quarters of land in the town and territory of Lessudden, and 40 l. of expenses. Dated Edinburgh, 21 December 1671.

Executions: 2 January 1672, by Andrew Phaupe, messenger, against him personally; witnesses, James Archibald, indweller in Lessudden, and John King there. 3 January 1672, by the same, at the market crosses of Melrose and Jedburgh; witnesses (at Jedburgh), John Fouldone, merchant burgess of Jedburgh, and Andrew Madder, burgess there; (at Melrose) Andrew Penman, portioner there, and William Andersone, merchant there.

April 13.

HORNING—Same *against* Same. Dated Edinburgh, 26 February 1672.

Executions: 15 March 1672, by Andrew Phaupe, messenger, against him personally; witnesses, David Kyll, smith in Lessudden, John Patone, indweller there. 12 April 1672, by same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), John Robsone, burgess of Jedburgh, Thomas Rutherfoord, burgess there; (at Melrose) William Andersone, merchant there, William Wallace, portioner there.

August 3.

HORNING—Mr. John Summervaill, minister of Lessudden, narrating Decreet by Commissioners for Valuation of teinds and Plantation of kirks, 28 February 1650, at instance of deceased Andrew Dunckiesone, minister at Lessudden, against John, Earl of Hadinton, David, Lord

Cardrose, Sir William Scott of Aikwood, Andrew Ker of Litledean, Andrew Ker of Morieston, Patrick Riddell of St. Bouswalls, John Erskein, portioner of Dryburgh, James Cairncroce of Calfhill, William, Earl of Roxburgh, Thomas Hunter, John Patone, Henry Coatt, Mungo Purves, Patrick Riddell, James Thorbrand, James Purves, Thomas Kyll, John Richiesone, Mungo Kyll, Robert Coura, deceased James Stoddart, James Erskein, —— [*sic*] Riddell, John Gibsone, John Lidderdeall, Thomas Stenhouse, Henry Cochran, John Laidlay, Andrew Heitoun, Thomas Milne, William Laidlaw, and James Currey, —— [*sic*] herald, ratifying and approving an Agreement between said Andrew Dunckiesone and David, Lord Cardross, titular of the parsonage teinds, for yearly payment to the said minister and his successors, ministers of Lessudden, of 7 chalders victual, being 4 chalders oats and 3 chalders bear, and 130 merks of money, with 20 l. for the communion elements, and ordaining the same to be paid by the heritors, beginning with crop 1649. The said heritors are therefore charged to pay the like sums to the complainer since 1661, when he entered to serve the said cure. Dated Edinburgh, 12 February 1669.

Executions: 24 April 1672, by Andrew Phaup, messenger, against Thomas Uns, portioner of Lessudden, David Uns, portioner there, and John Thorbrand, portioner there, personally, for payment as follows, Thomas Uns 47 l. 2 s. 8 d. Scots due prior to 1671, John Thorbrand 36 l. due before 1671, and David Uns 41 l. 2 s. 6 d. due prior to 1670; witnesses, Mungo Paton, indweller in Lessudden, John Patone, indweller there. 15 and 17 June 1672, by same, against Thomas and David Uns, at the market crosses of Jedburgh and Melrose; witnesses (at Melrose), William Wallace and Mark Blaikie, portioners there; (at Jedburgh) Andrew Maider and John Robieson, burgesses there.

August 3. HORNING—Robert Pringle of Blindlie *against* Andrew Pringle in Coblehouse and Robert Mertone, portioner of

Westhouses, to implement Contract, 28 November 1670, whereby the complainer, requiring men and servants to fish and use the water of Tueid between the Newsteid mill on the east and the Blackcraig in Crayweillheid at Gallamouth on the west, with nets, fishing cobles, wasters and wands, or any other method, set a tack to the said Andrew Pringle and Robert Mertone, equally between them, from Martinmas 1670 to Martinmas 1671, to labour the said stretch of water and faithfully render to the complainer, his house and family, the just half of all fish then to be taken and killed by them, under pain of 20 l. Dated Edinburgh, 6 February 1672.

Executions: 26 February 1672, by Andrew Phaup, messenger, against them personally; witnesses, Robert and James Pringle, sons of George Pringle in Coblehousse. 8 June 1672, by the same at the market cross of Melrose; witnesses, George Merser in Darnick, John Merser in Melrose.

1673. July 26.

HORNING—Margaret Lythgow, lawful daughter of deceased Thomas Lythgow, portioner of Ridpeth, and James Eillies of Huntliewood her husband, for his interest, *against* Mark Halyburtone, brother german to deceased John Halliburton sometime of Mertone, for 50 merks, with 10 merks of expenses, contained in his Bond, 14 June 1642, to the complainer. Dated Edinburgh, 25 October 1670.

Executions: 15 July 1673 [*sic*], by Andrew Phaupe, messenger, against him personally; witnesses, Mr. John Greiv in Newmainse, Patrick Leirmont, servitor to John Haliburtone of Newmainse, 3 July 1673 [*sic*], by the same, at the market cross of Lauder; witnesses, James Hunter, burgess of Jedburgh, and Thomas Cochran, portioner of Newtoune.

1674. January 3.

HORNING—John Penman, portioner of Melrois, *against* George Eillies in Darnick to obtemper Decreet, 2 August last, by the Sheriff of Roxburgh and his deputes for payment to the complainer of 40 merks, with 5 merks of expenses. Dated Edinburgh, 6 November 1673.

Executions: 11 November 1673, by Andrew Phaup, messenger, against him personally; witnesses, Mark Blaikie, portioner of Melrois, John Hog, weaver there. 23 and 26 December 1673, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Adam Robsone and Andrew Maider, burgesses of Jedburgh; (at Melrose) Robert Leitheid and Robert Reidfoord, students at Melrose school.

February 21. SUSPENSION—William Lukup in Danzeltoune *against* George Aird in Clarielaw, who charges him for payment of 8 l. Scots, with 33 s. 4 d, expenses, and also 16 l. for certian bear alleged bought by the complainer, with 4 l. 6 s. 8 d. of expenses of plea, conform to Decreet, 25 June 1672, by the Sheriff of Roxburgh and his deputes. He owes him nothing, because when he bought the meal and bear as aforesaid, for more ready payment he and the charger entered into a bargain (after the decreet was pronounced) that the complainer, being a wright to trade, should deliver to the charger six 'shyres' and two great 'kists' in payment of the debt, which he did, and can prove by his servants or refer to the charger's oath. Besides, if the money were still due, the same cannot be delivered up by him, being on account of the said decreet arrested in his hands at the instance of creditors. Andrew Bell, wright in Melrose, becomes cautioner for performance if found liable. Dated Edinburgh, 10 February 1674.

Execution: 16 February 1674, by Andrew Tunno, messenger, at the market cross of Melrose, relaxing the said William Lukup from the horn by delivery of the wand of peace to him personally; witnesses, John Leitheid, portioner of Melrose, Harry Wallace, smith there, and Andrew Kennedie, portioner of Darnick.

June 2. LAWBORROWS—William Auchterloney in Aberbrothick, John Lyell in Edzell, James Mein in Coldonknouesbyres, portioner of Newsteid, John Mein, his son, James Ker his servitor, Adam Turnbull, mason, portioner there,

William Sclaitter, portioner there, John Mein, maltman there, John Bunzie, weaver there, Bernard Mein, portioner there, Robert Mein of Moriestoun, Robert Forsan, portioner of Neusteid, James Bunzie, John Mein, weaver, Andrew Mein, mason, John Mein, hostler, James Mein *alias* David's James, John Bunzie, John Broun, Alexander Mein, mason, James Mein, weaver, Andrew Wilsone, James Merser, James Mein in Tounheid, George Mein, weaver, John Mein, mason, James Bunzie, elder, weaver, William Mein, smith, William Fisher, portioner of Newsteid, Robert Riddell, weaver there, Mr. William Mein of Newsteid, John Mein, mason, *alias* —— [*sic*], *against* Thomas Scott and John Stevinsone, indwellers in Glasgow, John Rodger, portioner of Ridpeth, James Purves his servitor, James Rodger, cordiner, his brother there, John and Alexander Andersone, sons of William Andersone there, John and Thomas Broun there, Thomas Miln there, John Scheill, portioner of Ersiltoun, James Scheill of Haughheid, John Flaebairn in Ersiltoun, George and James Flaebairn his brethren, Thomas Flaebairn, indweller in Edinburgh, William Denham, portioner of Ridpeth, John, William and David Denham, his sons, James Waugh in Melrose, James Miln there, James Purves, smith in Ersiltoune, Adam Darling, portioner of Westhouses, Robert Bunzie, mason in Newsteid, and Walter Braidie his servant, who out of causeless hatred and malice daily molest and trouble the complainers in possession of their lands, coalheughs, etc., by causing their bestial pasture on and destroy the complainers' meadows and grass, trespassing on their grounds and making passage through the same, eating and destroying their trees and planting, cutting peat and fuel, and threatening their lives. Each landed man is to find caution in 1000 merks and each unlanded man in 400 merks, within six days. Dated Edinburgh, 31 October 1672.

Executions: 25 May 1674, by Andrew Phaup, messenger, at the instance of James Mein in Coldinknoues byres, portioner of Neusteid (who gave his oath that he dreaded bodily harm), against Robert Bunzie, mason, portioner of Newsteid, at his dwell-

ing house; witnesses, Robert Hunter, indweller in Coldonknowesbyres, and James Phaup, indweller in Melrose. 1 June 1674, by the same, at the market crosses of Jedburgh and Melrose, against said Robert Bunzie; witnesses (at Jedburgh), Andrew Mader, burgess of Jedburgh, John Robsone, burgess there; (at Melrose) Henry Wallace, smith in Melrose, George Eillies, wright in Darnick.

1675. January 15. SUSPENSION—George Pattersone in Gallasheils, Andrew Ritchie in Westhouses, James Darling there, Thomas Mathiesone there, Robert Mertone in Coblehouse, and Robert Ormstone there, *against* Robert Pringle of Blindlie, who has raised letters charging them to find lawborrows to him, each landed person under penalty of 1000 merks, unlanded persons 400 merks; but he has not given his oath that he dreads bodily harm, and the penalties are above those required by Act of Parliament. John Wilsone in Gallasheills has become cautioner for their obedience if required. Dated Edinburgh, 24 November 1674.

Executions: 9 January 1675, by Andrew Phaup, messenger, at the market crosses of Melrose, relaxing them by delivery of the wand of peace to George Paterson and Robert Mertone in name of the rest; witnesses, Thomas Law, weaver in Melrose, and Thomas Gray, carrier there. 12 January 1675, by the same, at the market cross of Jedburgh, relaxing them by delivering the wand of peace to James Phaup, officer in Over Nisbet; witnesses, John Robsone and John Neutoun, burgesses of Jedburgh. 14 January 1675, by the same, at the market cross of Selkirk, relaxing the said George Paterson by delivering the wand of peace to John Douglas in Selkirk; witnesses, John Dobsone in Selkirk, Harry Douglas in Midlim.

March 20. LAWBORROWS—Alexander Lythgou of Drygrainge *against* Andrew Halliwall, weaver in Gattonsyde, Archibald Frier, wright there, William Wright, smith there, John Halliwall there, John Hog there, John Scot, elder and

younger, there, Thomas Halliwall, weaver there, John Thomsone, weaver there, Robert Ormstone there, William Mertone, tyler there, Robert Mein, portioner there, John Winter, weaver there, William Vaitch, portioner there, William Boustone, weaver there, George Hoy, portioner there, Robert Philp there, Robert Ormstone in Coblehouse, Robert Mertone there, Andrew Ritchie in Westhouses, Adam Darling there, James Lyndsay there, William Mertone there, Andrew Pringle, fisher there, John Ker, indweller in Melrose, George and Andrew Mertone there, William Wallace, merchant there, Thomas Law there, James Lamb there, William Fisher, portioner of Darnick, Gilbert Eliot there, William Mein, smith in Newsteid, Alexander Mein, mason there, Robert Forsone, miller there, Robert Bunzie, mason there, Bernard Mein, portioner there, Andrew Trumbull, mason there, John Broune, portioner there, James Bunzie, weaver there, William Fisher, portioner there, Robert Mabene, indweller there, Thomas Turner, fisher in Ridpeth, William Bell, portioner there, John Broune there, John Carncroce there, Thomas Millne there, John and Alexander Andersone there, William Turner, Alexander Andersone, Thomas Watsone there, James Rodger there, William Fisher in Sorlesfeild, Andrew Fisher in Westerhousebyre, Robert Frier his tenant there, John Merser there, John Purves in Drygrainge, James Moffatt there, and James Fisher, portioner of Blanslie, who daily invade his lands and fishings and threaten his tenants and servants, to find caution in 1000 merks and 400 merks, according as they are landed or unlanded persons, for his indemnity. Dated Edinburgh, 27 February 1675.

Executions: 6 March 1675, by Andrew Phaup, messenger, against Alexander Mein, personally; witnesses, Andrew Plumber of Midlesteid, James Eilles of Huntlywood, Andrew Kennedie and George Blakie, officers in the regality of Melrose. 15 March 1675, by the same, at the market cross of Melrose; witnesses, William Andersone, merchant in Melrose, and William Laing. wright there.

1676. March 18. SUSPENSION—Andrew Wilsone, portioner of Newsteid *against* Robert Bunzie, mason there, who charges him for 200 merks, with 40 merks of expenses, contained in Bond, 26 August 1672 by complainer to him, registered in the bailie court books of the regality of Melrose 25 January last, and for fifty merks, with five merks of expenses, in another Bond, 15 November 1673, registered in same books 29 January last. As to the first bond, the complainer having become apprentice to the charger, and satisfied him therefor, he granted this bond to free him of his apprenticeship, the same having become insupportable because of his hard dealing with him, and this appears by testificate signed by honest persons in the same town who were witnesses thereto; and the second bond was granted for bygone annual rent due upon the first; of both which bonds the charger promised a discharge and often declared he never intended to take advantage of them. Again, both the bonds were granted by him before he was sixteen years old, and he has already revoked. John Mein, mason, portioner of Newsteid, is cautioner for obedience if required. Dated Edinburgh, 29 February 1676.

Executions: 18 March 1676, by Andrew Phaup, messenger, at market cross of Jedburgh, relaxing him by delivering the wand of peace to James Phaup, officer in Grubitthaughhead; witnesses, Andrew Mader and John Robsone, burgesses of Jedburgh; and at the market cross of Melrose, delivering the wand to Andrew Baittie in Melrose; witnesses, William Wallace in Melrose, James Eilleis there.

March 25. HORNING—James Edgar, procurator fiscal of the regality of Melrose, *against* Robert Mertone in Westhouses, and James Waugh in Newmaines of Danzieltoune, his cautioner, for 40 l. Scots, with 10 merks of expenses, by their Bond, 12 July 1675, to him. Dated Edinburgh, 11 February 1676.

Executions: 21 February 1676, by Andrew Phaup, messenger, against them personally apprehended;

witnesses, Robert Ormstone in Gattonsyde, Thomas Williamsone in Westhouses. 28 March 1676, at the market cross of Jedburgh; witnesses, Andrew Mader and John Robsone, burgesses of Jedburgh.

INHIBITION—George Turner in Calfhill *against* William Carncroce of Allanshaws, and Walter Carncroce, fiar thereof, his eldest lawful son and apparent heir, for 3000 merks in Bond, 9 July 1675, as borrowed from him, containing obligation to infeft him in security in an annualrent of 120 l. out of their room and lands of Allanshawe, with 300 merks of penalty if they failed. Dated Edinburgh, 4 April 1676. April 13.

Executions: 11 April 1676, by Andrew Phaup, messenger, against them personally apprehended; witnesses, John Pearsone in Allanshaws, James Moffat, indweller in Gallasheils. 13 April 1676, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Andrew Mader and John Robiesone, burgesses there; (at Melrose) Thomas Bunzie, merchant in Melrose, Thomas Hunter, merchant there.

INHIBITION—Robert Bunzie, mason in Newsteid, *against* Andrew Wilsone, portioner there, in respect of the two Bonds above mentioned (in last Suspension). Dated Edinburgh, 28 July 1676. October 24.

Executions: 9 October 1676, by Andrew Phaup, messenger, against him personally; witnesses, James Merser, portioner of Newsteid, and Robert Mabone there. 24 October 1676, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Andrew Mader, baker, burgess of Jedburgh, and Thomas Dryden, burgess there; (at Melrose) James Wallace, smith in Melrose, John Merser, merchant there.

SUSPENSION—Andrew Merser, maltman in Darnick, Eupham Fisher his spouse, George Merser, merchant there, Andrew Kennedie there, William Merser called the Wall, 1677. October 12.

against James M'Illdonich in Heatoune, Thomas Japhray there, Thomas M'Gilland in Venallsyde, Mr. James Summervell, writer in Edinburgh, David and Francis Scot, brothers of deceased —— Scot of Tushellaw, Andrew Fisher of Westerhousbyre, James and Andrew Fisher his sons, Michael Fisher, brother of said Andrew, William Ker of Brodwoodsheill, who charge the complainers to find lawborrows in 400 merks each, but have not given oath that they dread bodily harm, and the penalty is exorbitant and should not exceed 40 l. They have found John Andersone, portioner of Melrose, cautioner for obeying the charge if required. Dated Edinburgh, 9 October 1677.

Executions: 11 October 1677, by Andrew Phaup, messenger, relaxing Andrew Merser and Eupham Fisher by delivery at the market cross of Melrose to James Eilles, writer in Edinburgh, of the wand of peace; witnesses, Francis Scot and Thomas Bunzie, indwellers in Melrose. 12 October 1677, at the market cross of Jedburgh, delivering the wand of peace to John Whytte, burgess there; witnesses, John Ansly, burgess of Jedburgh and Adam Ansly, officer there.

September 27. INHIBITION—George Turner in Calfhill *against* Walter Carncroce, fiar of Allanshauss, for 80 merks, with 100 merks of penalty, due by his Bond, 22 January 1677, to the complainer. Dated Edinburgh, 2 August 1677.

Executions: 25 September 1677, by Andrew Phaup, messenger, affixing a copy on the ground and lands of Allanshaes; witnesses, John Laidlaw, herd in Colmsliehill, and Adam Wilsone, herd there. 29 September 1677, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Andrew Jerdone, burgess of Jedburgh, John Robiesone, burgess there; (at Melrose) William and James Edgar, lawful sons of James Edgar, portioner of Melrose.

1677 [*sic*]. June 22. SUSPENSION—Robert Clerk, merchant in Gattonsyde, *against* Richard Halliwell, merchant burgess of Selkirk,

who charges him for 440 merks, with 40 l. of penalty, contained in a pretended Minute of Agreement, 12 August 1676, between them, registered in Burgh court books of Selkirk, 11 December 1676; but the charger has not implemented his part of the agreement to grant a sufficient and ample right to the complainer to a contract of wadset between him and John Donaldsone, glover, burgess of Selkirk, of his dwelling house and stable presently possessed by the said Richard Halliwall and to enter the complainer to possession thereof; and the complainer also made offer in presence of the bailies of Selkirk of the whole sums charged for, but the said Richard Halliwall refused to perform his part, and still retains the house and stable. John Ord, merchant in Edinburgh, is cautioner for obedience if required. Dated Edinburgh, 12 June 1677.

Executions: 13 June 1677, by William Hoome, messenger, at market cross of Edinburgh, relaxing the said Robert by delivering the wand of peace to James Eilleis, writer in Edinburgh, in his name; witnesses, John Gourly, messenger in Edinburgh, and William Stavinsone, indweller there. 22 June 1677, by Andrew Phaup, messenger, at market cross of Melrose, delivering the wand of peace to Robert Clark himself; witnesses, Michael Sheill, servitor to Thomas Wilkiesone, clerk of Melrose, John Leitheid, indweller there.

1679. January 11.

HORNING—James Waugh in Melrois *against* . . . in respect of Decreet, 3 February 1672 by bailies of regality of Melrose at instance of Thomas Harvie in Maxpople for 6 l. 5 s. Scots and 18 s. expenses of plea, and Assignation thereof, 21 February 1676 by Thomas Harvie to the complainer; also *against* Michael Gibsone, flesher in Melrose, for 9 l. 12 s. and 36 s. expenses, due by Decreet 21 March 1674 at complainer's instance; also *against* John Clapertone in Longhaugh for 10 l. Scots and 20 s. expenses, and redelivery of 4 merks, as in Decreet, 13 April last at complainer's instance. Dated Edinburgh, 22 November 1678.

Executions: 4 December 1678, by Andrew Phaup, messenger, against John Claperton at his dwelling house in Longhaugh; witnesses, John Fratter in Longhaugh, William Wilsone there. 21 December 1678, at the market cross of Melrose, against same; witnesses, Andrew Penman, portioner of Melrose, Mark Blakie, portioner there.

August 29. HORNING—Andrew Phaup, officer of the regality of Melrose, *against* Margaret Barrie, portioner of Gattonsyde, for 58 merks, with 5 merks of expenses, contained in Decreet at his instance, 20 June 1663, before the bailie of regality against her. Dated Edinburgh, 29 January 1679.

Executions: 28 March 1679, by Andrew Tunno, messenger, against her personally; witnesses, Robert Frier, portioner of Gattonsyde, Robert Ormstone there, and Adam Darling in Westhouses. 1 August 1679, by Rolland Greive, messenger, at the market cross of Melrose; witnesses, John Leitheid, portioner of Melrois, and Robert Mar there.

1680. May 19. HORNING—Charles, Earl of Hadintone, *against* Thomas Stenhouse in Newtoune, John Riddell, James Trumbull, William Milne, William Eckles, James Laidlaw, and Nicol Couchrane, tenants and occupiers of the town, houses, yards and land of Newton; Adam Trumbull in Newsteid, John Bunzie, weaver, Robert Forsane, miller, William Fisher, James Mar, Andrew Mein, 'Kill Andro,' John Mein, mason, Robert Mein, mason, Robert Riddell, John Bunzie, officer, James Bunzie, weaver, John Mein, mason, Easter, Robert Mein, Tounhead, Robert Bunzie, mason there, James Broune, and Thomas Bunzie, possessors and occupiers of the town, lands, houses and yards of Neusteid; John Rathie [? Kathie] in Melrose, David and William Cuik, John Wright, John Bowar, Alexander Mein, mason, John Hunter, cordiner, James Mylne, William and James Waugh, Thomas Law, John Hog, George Wallace, Mr. Michael Wallace, Andrew Penman, and Thomas Bowie, tenants and occupiers of the tenements and yards in Melrose, houses and yards within this precinct thereof and the

acres called the Annay of Melrose, 'aikers in the hill and parts and cavills in the Wairds of Melrois'; Andrew Reneldsone in Darnick, John Mosse, William Merser, Wall, Andrew Merser, Pooll, George Usher, John Usher, Hew Boustone, George Hounam, Lang, Walter Dalgleis, Robert Boustone, James Clappertone, Andrew Hounam, John Thomsone, John Fisher, George Merser and Helen Usher his mother, William Muddie, George Hounam, Bessie Griersone his spouse, and Michael Fisher her son, and Alexander Heitone there, tenants and occupiers of the town and lands of Darnick, houses, yards, and pertinents thereof; Andrew Beattie in Bridgend, George Hounam, Andrew Boustone, John Usher, and John Merser, Lochbreast, tenants and occupiers of the town and lands of Bridgend, houses, yards and pertinents thereof, and Lairds land; George Bartone in Gattonsyde, Thomas Boustone, James Taitt, Robert Frier, Robert Duncane, Robert Scot, John Halliwall, elder and younger, John Mabone, Walter Vaitch, George Hoy, Andrew Hallwall, William Boustone, Robert Ormstone, Thomas Moffet, Robert Clark, merchant, Thomas Halliwall, Henry and Thomas Mylles, Robert Boustone, John Halliwoll, Croce, Archibald Frier, James Boustone, Thomas Halliwoll, John Hoy, William Mertone, tyler, John Mein, Thomas Mabone, Thomas Boustone, Eastcoat, William —— [*sic*], Thomas Boustone, Duckdubs, John Thomsone, Robert Mylls, and Janet Halliwall, widow of Robert Halliwall there, tenants and occupiers of the town and lands of Gattonsyde with the houses, yards and pertinents thereof; Adam Darling in Westhouses, William Mertone, Robert Sheill and James Darling there, tenants and occupiers of the acres, houses and yards in Westhouses with the pertinents; John Thin in Blanslie, Margaret Turner, widow, John Sounhouse, Thomas Darling, James Rollmanous, Thomas Darling [*sic*], Jame Pringle and George Rollmanous there, tenants and occupiers of the town and lands of Blanslie; Peter Moffett in Thriepwood, James Mein, Peter Moffet [*sic*] and George Moffet there, tenants and occupiers of the town and lands of Thriepwood; John Fisher and Alexander Patersone,

tenants and occupiers of the lands of Old Melrose with the pertinents; John Riddell in Lessuden, William Porteus, John Patoun, elder and younger, there, tenants and occupiers of the town and lands of Lessuden with the pertinents; James Bowar in Eildone, James Bowar, younger, Richard Mein and Alison Mein his spouse, and Robert Mein, tenants and occupiers of the town and lands of Eildone, houses, yards and pertinents; against all of whom he obtained Decreet of removing, before the bailie of regality, 31 May 1679, to vacate the same at Whitsunday 1679, who refuse so to do unless compelled. The letters are dated at Edinburgh, 3 February 1680.

Executions: 21 and 23 February 1680, by Andrew Phaup, messenger, against James Trumbull, portioner in Newton, and several others [35 in all][1] all personally apprehended; witnesses, John Mein, portioner of Newsteid, Andrew Heitone in Darnicke, Andrew Mar, portioner of Gattonsyde, John Stirling, portioner of Blanslie, and others. 18 May 1680, at the market crosses of Jedburgh and Melrose, by same messenger against the same persons; witnesses (at Jedburgh), John Robsone and Andrew Hardie, burgesses of Jedburgh; (at Melrose) John Leithead, portioner of Melrois, John Stenhouse there, George Merser, merchant in Darnicke.

August 3. INHIBITION—Charles, Earl of Hadintone, narrating that by his infeftments and sasine, dated 6th May 1670, he is in possession of the lordship and barony of Melrose comprehending 'all and haill the monestery and presinct of Melrois conteaning the tower fortalice and manor place of Melrois with houses biggings yeards orchards and pertinents of the samen, all and haill these ane and threttieth tenements of lands portiones of land and ane and threttieth aikers called Litle Fordell, all and haill the lands off Allanshaues with ther pertinents, the lands of Trouplaw[2] with

[1] Including Robert Dinnant in Gattonside, who appears as Ro. Duncane in the letters.

[2] Occurs as 'Wouplaw' in Inhibition, 16 August 1681, p. 104, cited as (b).

ther pertinents, the lands of Thriepwood, lands of Williamlaw, lands of Whitlie [1] and Whitlie dykes, lands of Sorrofauld, lands of Craig, lands of Fennerland,[2] lands of Sohandou,[3] lands of Caldcleuch, the nyne pound lands of Ridpeth, with the pertinents, the lands of Walkercroft, lands of Friersland, lands of Newtoune, lands of Friershaw, lands of Cringlis, lands of Munkland off Farningtoune, lands of Glengerrie, lands of Midhope, lands of Kirkhope,[4] lands of Shorthope, lands of Craige, otherwayes Craighill, lands of Langhope, lands of Fairhope, lands of Epilhope, mylne of Neugrainge, all lyand within the regalitie of Melrois and schirrefdome of Roxburgh; all and haill the lands off Gattonsyde with ther pertinents with the teynds of the samen included, all and haill the lands of Annay with the pertinents with the teynds of the samen included, all and haill the lands off Mossehouses with the pertinents and teynds of the samen included, all and haill the lands off Friersland with the pertinents and teynds of the samen included, lands of Pryorwood with the pertinents and teynds of the samen included, lands of Booklawes with the pertinents, all and haill the lands of Westhouses, mylne, lands, multurs and sequells of the samen and pertinents therof included, all and haill the holl [whole] fishings one the watter of Tweed, all and haill the lands of Allnays [5] with the pertinents, all and haill the lands of Wellmedow [6] with the pertinents, all and haill the lands of Longmedow with the pertinents, and teynds of the samen included, all and haill the lands called the Subsellers land with the pertinents, the lands of Houlaubutts with the pertinents, all and haill the lands of Newsteid with the pertinents and teynds of the samen included,[7]

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[1] Occurs as 'Whytlaw' in (b).

[2] In (b) 'Femerlands'; in Inhibition, 31 August 1681, p. 105, cited as (c), reads 'Craiglands or Fennerland.'

[3] In (c) reads 'Sellarawmeadow.'

[4] In (b) 'Kirkhope.'

[5] In (b) 'Alleyis'; in (c) 'Alayes.'

[6] In (b) and (c) 'Westmeadows.'

[7] Here in (b) are inserted 'the lands of Whitehaugh, "Whiteyaird" in (c), with the pertinents and teynds of the samen included.'

all and haill the lands of Thirredounecoill[1] with the pertinents and teynds of the samen included, all and haill the lands of Baitshauhaugh with the pertinents and teynds of the samen included, all and haill the lands of Abbotismedow with the pertinents and teynds of the samen included, the lands of Tunglasis[2] with the pertinents, all and haill the lands of Brodmedous with the pertinents and teynds of the samen included, lands of Old Melrois with the pertinents, all and haill the lands[3] of Melrois, the Green under the Mantill walls, the lands of Raik with the pertinents, —— [*sic*] of Melrois betuixt Gallawatter and Leider, lands of Bowarsbraes with the pertinents, lands of Lessuden with the pertinents, mylne of Neutoune, mylne lands, multurs, sequells, astrict multurs and sequells of the samen and pertinents therof, all and haill the lands of Danzieltoune with the pertinents and teynds of the samen included; all and haill the village and lands of Darnick with the pertinents and the teynds of the samen, to witt, Quilincroft,[4] McGrreisland,[5] Tylhouse, Fennerland, Mariesland,[6] Berfauld, Adiceland,[7] Sarrismedow,[8] and Shorlingland,[9] with the teynds of the haill lands included; the village and land of Bridgend with the pertinents, to witt, the half upone the Bridge and Lochbreast, with the teynds of the haill fornamed lands included; all and haill the lands of Apletrieleaves with the pertinents, lands of Newbank[10] Souterri [?] of Cairtleyes[10] with the pertinents, lands of Newfuird[11] with the pertinents, half lands of Hackburne[12] with the pertinents, lands of Drygrainge with the pertinents, land of Clackmae with the pertinents, lands of Eastoning[13] with the pertinents, lands of Housbyre with the pertinents, lands of Park with the pertinents, lands of

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[1] In (c) 'Thisedouncoill.'
[2] In (c) 'Tanglawes.'
[3] In (b) 'Wairds.'
[4] In (b) 'Guthcroft.'
[5] In (b) 'M'Quarriesland.'
[6] In (b) 'Marsland.'
[7] In (b) 'Officeland.'
[8] In (b) 'Sacrismeadow.'
[9] In (c) 'Shilingland.'
[10] In (b) reads 'lands of Menbank, Foutercroft, and Cairtleyes'; in (c) reads 'Newbank, Soutter croft and Courtleyes.'
[11] In (b) 'Newfuirdhaugh.'
[12] In (b) 'Hagburn.'
[13] In (b) 'Eisternrig.

Thildoune [1] with the pertinents, lands of Camiestone and Plewlands with the pertinents, lands of Colmsliehills [2] with the pertinents, lands of Hassendeanebank with their pertinents, lands of Brierieyeards with ther pertinents, lands of Clerkcroft Kersual [3] in Hassintoune with the pertinents, lands of Horned Holl [4] with the pertinents, lands of Songhouse [5] with the pertinents, lands of Hassi with the pertinents, lands of Westsyde of Housbyre and Longlie with the pertinents, lands of Crooks [6] with the pertinents all lyand within the lordship of Melrois and schirrefdome of Roxburgh; all and haill the lands of Woulfclyde with the pertinents, lying within the said lordship of Melrois and schirrefdome off Lanerk; all and haill the lands of Heartsyde [7] with the pertinents, lands off Priestlaw, Pesheill,[8] Frierdyke and Wintersheills, with all the pertinents of the samen, with the mylne lands, multurs and sequells of the samen, and pertinents therof, lands of Mylnehaugh of Neugrainge with the pertinents, lying within the said lordship of Melrois, constabulare of Hadingtoune and schirrefdome of Edinburgh; all and haill the lands of Clerklies with the pertinents lying within the schirrefdome of Berwick; all and haill the lands of Hopecartoune with the pertinents lying within the schirrefdome of Peebles; all and haille the village and brugh of regalitie of Melrois, togither with all and sundry houses, biggings, tenements, yeards, orchards, doucats, tofts, crofts and pertinents thereof, lyand within the bounds and liberties of the samen; togither with all and sundry castles, toures, fortalices, mansiones, manor places, houses, biggings, yeards, orchards, doucats, medows, forrests, mylns, multurs, kirks, teynds, medows [*sic*], hynings, woods, fishings, annexis, connexis, parts, pendicles, dependences, service of tenements [*sic*],[9] advocatione, dona-

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[1] In (b) 'Eildoun.'
[2] In (c) 'Colmsheills.'
[3] In (c) 'lands of Kerswell.'
[4] In (b) 'Hernflos'; in (c) 'Horneflos.'
[5] In (b) 'Craighouse'; also in (c).
[6] In (b) 'Conicks,' also in (c).
[7] In (b) 'Hartsyde and Cleats'; in (c) 'Hartsyde and Lintes.'
[8] In (b) 'Pensheills.'
[9] In (b) 'service of tennants.'

tione and right of patronadge of kirks, proffeits, deuties, commodities and pertinents quhatsumever, off all and sundry the forsaids lands, woods, mylns, teynds and others abovewriten; togither with the office of bailliarie of the regalitie of Melrois and Tiviotdaill and Uginsh, with the escheats, priviledges, immunities, feufermes and casualities quhatsumever perteaning and belonging to the samen; all unite, annexid and incorporat in an haill and frie barronie and lordship called the lordship and barronie of Melrois'; and that by virtue of this infeftment he has right to the teinds, and ought to be satisfied therefor, but the heritors, liferenters, feuars, tenants and occupiers of the said lands intend to intromit with and dispone upon the teinds for crop 1680 without his permission. They are therefore inhibited from so doing. Dated Edinburgh, 20 July 1680.

Executions: 1 August 1680, by Andrew Phaup, messenger, at the parish churches of Hounam and Morbatle, being Sabbath, before and after the forenoon service, discharging the heritors and others foresaid, 'occupiers of all and sundry the office of baillzierie of the regalitie of Melrois in Eist Tiviotdaill and lands of Uginshe belonging to the Earl of Roxburgh and holden of the lordships [*sic*] of Melrois called Salsettrone, Kocklaw, Kapillrodick,' Davinshau, Brisneis, Sourhope, Cliftinhope, Rashau, Gaitshau, Hounam-Grainge, Southcoatt, and mylne of Hounam-Grainge, with the escheats, immunities, priviledges, feufermes and casualities quhatsumever perteaning and belonging to the samen, all unite, annexed and incorporat in our haill and frie barronie lordship called the lordship and barronie of Melrois,' from leading in and disponing upon their teinds of crop 1680 within license from the complainer, or removing their corns from the ground unteinded under pain of being dealt with as violent spulziers thereof; witnesses (at Hounam kirk) John Rutherfuird, officer there, and Robert Broune, 'bedler' there; (at Morbatle kirk) Robert Plumber, school-

master there, and John Ker, portioner of Morbatle. 3 August 1680, by the same, at the market cross of Melrose, against the said occupiers as above; witnesses, George Blakie, officer in Melrose, Andrew Penman there, and others.

HORNING—Charles, Earl of Hadintone, etc., eldest lawful son and heir male of deceased John, Earl of Hadinton, who was heir male of deceased Thomas, Earl of Hadintone, his grandfather, the complainer's great-grandfather, titular of the teinds of the parish of Melrose, narrating that he obtained Decreet, 12 April 1680, before bailie-depute of regality of Melrose, *against* the following persons and their tenants, to pay to him the valued teind duties respectively underwritten, the fifth part and the sums of money allocated out of the foreend thereof to the minister at Melrose being allowed, viz. against William Cairncroce of Hilslope, for his lands of Calfhill in parish of Melrose, and Robert Hilstone in Calfhill his tenant, 46 merks 6 s. 8 d.; Francis Scot of Longshaw, for his lands of Colmsliehill, George Turner his tenant, 48 merks 10 s.; John Hunter of Colmslie, for his lands of Colmslie, and Francis Scot and Robert Frier his tenants, 133 merks 6 s. 8 d.; Andrew Fisher of Westerhousbyre, and George Merser his tenant, 110 merks 10 s.; Hugh Scot of Gallasheils, for his lands of Wouplaw and Robert Lies his tenant, 32 merks; Andrew Cairncroce of Westerlonglie, for his lands thereof, 66 merks 10 s.; William Fisher for his lands of Easterlonglie, Agnes and Anna Bell there, and Thomas Merser their tenant, 66 merks 10 s.; William and Walter Cairncroce for their lands of Allanshaues, and George Turner their tenant, 60 merks; extending in all to . . . and that for crop and year 1678, and in future as long as they remain in possession of the lands. They are therefore charged under pain of horning to obtemper the said decreet. Dated Edinburgh, 21 August 1679. August 4.

Executions: 26 August 1679, by Andrew Phaup, messenger, against some of them personally and some at their dwelling houses; witnesses, Thomas

Boustone, indweller in Gattonsyde, George Kirkwood, messenger in Gallasheils, John Persone, herd in Allanshaues, John Tait, herd in Colmsliehill, and others. 4 August 1680, by the same, at the market cross of Melrose, against several of the above; witnesses, George Blakie, officer in Melrose, Robert Cuik, indweller there, and others.

November 20. INHIBITION—William Hog, W.S., *against* Andrew Tunno, notary in Melrose, and Dinah Tunno his daughter, for 213 l. 13 s. 8 d., with 25 l. 4 s. being two years' annualrent, contained in Decreet of the Lords of Council and Session, 16 November 1677, against them; also *against* the said Andrew Tunno, who granted Bond, 24 June 1669, to Violet Hog, daughter of John Hog, portioner of Lilisleife, for 100 merks, and 10 merks of expenses, registered in Books of Council and Session, 8 January 1679, assigned to Andrew Hog, writer in Edinburgh, by the said Violet Hog and John Moutry, mason in Edinburgh, her spouse, . . . February 1679, and transferred by the said Andrew Hog to the complainer, 4 June 1679. Dated Edinburgh, 2 November 1680.

Executions: 8 November 1680, by Andrew Phaup, messenger, against them personally apprehended; witnesses, Michael Gibsone, indweller in Melrose, George Blakie, indweller there, and others. 9 November 1680, by the same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), John Robsone and John Olifer, burgesses of Jedburgh; (at Melrose) Michael Gibsone and John Leitheid in Melrose.

1681. May 16. HORNING—John Mein in Newsteid, tacksman of the mills of Melrose, *against* Robert Couchran, David Uns, Thomas Huntar, younger, portioners of Lessuden, Thomas Uns, Laird, John Riddell, younger, James Bullman, Robert Thomsone, and John Jamesone, younger, in Lessuden, against whom he obtained Decreet of the Lords of Session, of this date, to observe the conditions contained in a Charter of the Mill of Newtoun granted on 18 May 1621

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by the Earl of Hadintoune to James Cairncross of Colmeslie wherein the lands of Lessuden are thirled to the Mill of Newtoun under express provision that when the said mill is not able to grind the corns then the said persons and others thirled thereto are to carry their corns to Melrose mills and pay the multure used and wont; whose predecessors and authors have done the same hitherto when the Mill of Newton was unable by drought or frost to continue, but the defenders have abstracted their corns since Martinmas 1675 when the mill of Newton ceased to grind, each to the extent of 10 bolls of oats and 5 bolls of bear, except David Uns, who abstracted 10 bolls of malt; and the Lords ordained them to pay from Martinmas 1675 to November 1678 (instead of one peck to each six firlots which is the ordinary multure) double multure, being 4 pecks to each 6 firlots, extending in all to 65 bolls of oats, bear, and malt. Dated Edinburgh, 19 February 1681.

Executions: 11 April 1681, by Andrew Phaup, messenger, against all of them personally apprehended; witnesses, John Thorbrand and John Patoun in Lessuden. 30 April 1681, by the same, at the market cross of Melrose; witnesses, George Blakie, officer in Melrose, and James Mylne there.

May 20.

LAWBORROWS—William M'Lellan in Gleraggit, George Pringle of Blindlie, Robert and George Pringle his sons, *against* William M'Brair in Caldhame, Robert Mairtin in Westhouses, Andrew Pringle there, Thomas Mathieson there, George Patersone in Gallasheills, David —— in Fawdonsyde, William Huntar in Rink, Andrew Symentoun there, Robert Mein in the Townhead of Newsteid, who threaten them daily and invade and destroy their lands and corn. Dated Edinburgh, 22 July 1679.

Executions: 2 May 1681, by Andrew Phaup, messenger, against Robert Mertone in Westhouses, personally; witnesses, George Pringle in Westhouses and William Mertoun there. 20 May 1681, at the market cross of Melrose; witnesses, Andrew Penman, por-

tioner of Melrose, George Pringle, servitor to John Lithgow, writer in Melrose.

June 15. HORNING—Charles, Earl of Hadintoun, *against* the heritors, feuars, liferenters, farmers, tacksmen, and occupiers of his lordships of Melrose, Caldstream and Binning, to pay to him within ten days the sums due by them for his relief of the feu and blench duties and others which he has already paid in to the Exchequer for the said lordships from 31st July 1679 to 31st July 1680. Dated at Edinburgh, 11th January 1681.

Executions: 12, 13, 18, 19, 20 May 1681, by Andrew Phaup, messenger, against Robert Dinnant in the town of Galtounsyde for 39 l. Scots; Isobel Thomson there, 11 l.; George Hoy there, 134 l. 7 s. 6 d.; Walter Vaich there, 27 l.; Andrew Halliwall there, 28 l.; John Halliwall, Croce, 33 l.; James Williamson in Gallasheils, 18 l.; Janet Halliwall in Galtounsyde, 21 l. 17 s.; Thomas Williamson in Westhouses, 14 l.; John Dagleis there,[1] 25 l.; John Thomsone, slater there, 10 l.; Andrew and James Merser, Poolls, 73 l. 6 s. 6 d.; John Hietoun, Eister,[2] there, 53 l. 3 s. 8 d.; William Moss there, 7 l. 5 s. 4 d.; Nicol Bowar in Eildoune, for his lands there, 7 l. 7 s. 6 d.; Andrew Baittie in Bridgend, 13 l. 1 s. 6 d.; George Hownam there, 14 l. 0 s. 6 d.; John Mertoun there, 1 l. 1 s.; John Moodie there, 42 l. 1 s. 10 d.; Mallie Bouston there, 5 l. 4 s. 4 d.; John Merser, Lochbreast, 17 l. 12 s. 5 d.; James Eillies, Walker raw in Melrose, 43 l. 15 s.; Andrew Penman there, 13 l. 18 s. 6 d.; James Edgar there, 576 l. 2 s.; James Lamb there, 24 l. 16 s.; Patrick Lukeup and Helen Waugh his mother, 92 l. 15 s. 4 d.; William Sklater in Newsteid, 11 l. 6 s.; Margaret Mein, widow of Robert Mein, Bridgend there, 26 l. 4 s. 8 d.; William Fisher there, 40 l. 2 s. 2d.; Robert Forsan there, 3 l. 15 s. 8 d.; James Mein

[1] Styled 'in Darnick' in second execution.
[2] Styled 'Wester' in second execution.

there, 136 l.; Robert Mein there, 20 l. 12 s.; Alison Buinzie there, 2 l. 5 s. 8 d.; George Mein, David's George, there, 14 l. 15 s. 4 d.; Andrew Hietoun in Newtoun, 10 l. 7 s. 6 d.; Nicol Couchran there, 46 l. 7 s.; John Wintrop, portioner there, 8 l. 12 s. 9 d.; William and James Laidlaw there, 31 l. 13 s. 6 d.; William Eccles there, 4 l. 15 s. 6 d.; James Mein,[1] in Eildoun, 5 l. 12 s.; John Vair and James Bowar there, 56 l. 16 s.; Nicol Bowar there, 26 l. 8 s. 8 d.; James Bowar, younger, there, 48 l.; Thomas Mein there, 34 l. 12 s.; Robert Mein, 80 l. Robert Laithan there, 24 l. 8 s. 8 d.; John Hietoun there, 28 l.; John Andersone in Ridpeth, 11 l. 1 s. 4d.; Andrew Darling, portioner of Apletrieleaves, 85 l. 5 s. 4 d.;[2] Andrew Fisher of Westerhousebyre, 139 l. 19 s. 1 d.; James Fisher, portioner of Blainslie, Robert Fisher in Clekmae, Andrew Broun there, 400 l.; William Fisher in Sorowlesfield, 335 l. 13 s. 4 d.; George Pringle of Blindlie, 363 l. 3 s. 8 d.; Patrick Mader in Simprim, 426 l. 6 s. 8 d.; Thomas Stenhouse, younger, in Caldstream, 56 l. 4 s. for the customs of Coldstream, Whitsunday and Martinmas 1680; all personally apprehended; witnesses, Andrew Mar, portioner of Galtounsyde, John Mylne, portioner of Newtoun, John Mein, portioner of Newsteid, and others. 15 June 1681, by the same, at the market cross of Melrose; witnesses, Alexander and James Wilkiesone, lawful sons of Thomas Wilkiesone, clerk of Melrose, and Robert Leithead there.

July 6.

HORNING—George Pringle of Buckholm *against* Andrew Darling, portioner of Apletrieleaves, against whom and James Bellendein, merchant in Gallasheills, for his interest, he obtained Decreet before the Commissary of Peebles and his deputes, 12 August last, for payment of 19 l. 16 s. Scots due by him to the said James Bellenden and arrested

[1] Styled 'herd in Eildoun' in second execution.

[2] Here in second execution is added 'Andro Moffat there.'

in the hands of the said Andrew as part payment of 94 l. 10 s. 8 d. Scots of principal and 10 l. of expenses contained in Decreet by said commissary-depute, 22 April last, at the complainer's instance, against the said James Bellendein. Dated Edinburgh, 24 March 1681.

Executions: 6 April 1681, by Andrew Phaup, messenger, against the said Andrew Darling personally apprehended; witnesses, James Deans in Longhaugh, Robert Wilsone in Netherhaugh of Galashiels. 2 July 1681, by the same, at the market cross of Melrose; witnesses, John Sklater, portioner of Eildoun, John Buinzie, officer, portioner of Newsteid, and others.

August 16. INHIBITION—Charles, Earl of Hadintoun, *against* all and sundry heritors, feuars, tacksmen and occupiers of the lands, etc., comprehended in the lordship of Melrose (as formerly narrated) to dispose of their teinds for crop 1681 without his licence. Dated Edinburgh, 23 July 1681.

Executions: 7 August 1681, by Andrew Phaup, messenger, at parish churches of Hownam and Morbatle (as mentioned in former Inhibition) against the heritors, etc., 'of the lordship and barronie of Melrois and others withinwrittin with the pertinents, viz., the office of baillziearie of the regality of Melros in Eist Tivotdaill and Uginsh with the esheatts, priviledges, immunities, fewfarmes and casualities whatsomevir pertaining and belonging to the samen all unit annexed and incorporat in ane haill and frie barronie and lordship called the lordship and barrony off Melrois comprehending the lands of Eist Tivotdaill and Uginsh called the lands of Gaitshaw, Deanbrae, Brewings, Hownamgrange, mylne and mylne lands of Hownamgrange, Cristonleafe,[1] Salset *alias* Falset, Tron *alias* Tron Cocklaw [*sic*], Capilrodick *alias* Capiebrodick, Ovinshaw,[2] Brestnise *alias* Preishneiss, Fairhope,[3] Kar-

[1] In second execution styled 'Cliftouncoitt.'

[2] *Ibid.*, 'Devinshaw.'

[3] *Ibid.*, 'Sourhope.'

shaw[1] *alias* Feshaw, Bepitridge [? Kepilridge],[2] Southcoitts, and Attonburne'; witnesses (at Hownam) Mr. Matthew Ewins, minister at Hownam, John Livingston his servitor, Patrick Murray in Over Whiten; (at Morbatle), William Fala, son of Charles Fala in Corbethouse, John Ker in Morbatle, and others. 13 August 1681, by the same, at the market cross of Melrose; witnesses, George Blakie, officer in Melrose, Walter Ker and William Cuik, merchants there.

INHIBITION—Charles, Earl of Hadintoun, *against* all and sundry the heritors and others aforesaid (as in the last) in respect of the teinds, crop 1679. Dated Edinburgh, 22 August 1679. August 31.

Executions: 24 August 1679, by Andrew Phaup, messenger, at parish kirks of Hownam and Morbatle, before and after divine service; witnesses (at Hownam) John Riddell of Bearup, Robert Davidsone in Hownam; (at Morbatle) Robert Plumber, schoolmaster at Morbatle, John Ker, portioner there. 26 August 1679, by the same, against the heritors, etc., of the lands of Williamlaw, by affixing a copy on the door of George Pringle of Buckholm's dwelling house there and delivering a copy to James Forsyth's wife at his dwelling house in Williamlaw; witnesses, John Symintoun, elder and younger in Buckholme. 31 August 1679, by the same, at the parish church of Melrose, against the heritors, etc., of the lands called Uginsh and lands of Williamlaw; witnesses, John Penman, portioner of Melrose, James Merser, portioner of Newsteid. 30 August and 4 September 1679, by the same, at the market crosses of Melrose and Jedburgh; against the said heritors, etc., of Uginsh and Williamlaw; witnesses (at Melrose), Robert Trotter, writer in Edinburgh, John Leitheid in Melrose; (at Jedburgh) John Robsone, skinner burgess of Jedburgh, George Ker, deacon of the masons there.

[1] In second execution, 'Rash shaw.'

[2] *Ibid.*, 'Cepitridge.'

October 15. HORNING—James Eillies, writer in Edinburgh, against William Wilsone, who granted Bond, 9 December 1648, to James Eillies, portioner of Danzieltoun, for 200 merks, and 20 merks of penalty, and the said James Eillies raised letters on the Decreet, 24 May last, by the bailies of regality of Melrose against William Wilson for payment of 52 l. 4 s. 4 d. as the balance due of the whole sum foresaid; and by his Assignation, 3 June instant, made over the Bond, Decreet, and Diligence to the complainer. Dated Edinburgh, 8 May 1681.

Executions: 20 August 1681, by Andrew Phaup, messenger, against William Wilsone personally apprehended; witnesses, George Wallace, portioner of Melrose, and John Buinzie, officer in Newsteid. 25 October 1681, at the Market cross of Melrose; witnesses, George Blakie and Walter Gibson at Melrose.

1685. July 3. INHIBITION—Robert Buinzie, mason in Newstead, *against* George Pringle of Blindlie, who granted Bond, 26 November 1683, to the complainer for 310 l. 16 s. Scots, with 20 l. of penalty. Dated Edinburgh, 11 June 1685.

Executions: 27 June 1685, by Andrew Phaup, messenger, against him personally; witnesses, Andrew Phaup, younger, in Melrose, and Gideon Fairgrive there. 2 July 1685, by the same, at the market crosses of Selkirk and Melrose; same witnesses.

1687. May 10. HORNING—Mr. Thomas Hamiltoun, second lawful son of deceased Charles, Earl of Hadingtone, and executor to him, Margaret, Countess of Rothes and Hadingtone, William, Duke of Hamilton, ——, Earl of Kintore, Sir James Foulis of Reidfoord, Sir Robert Sinclair of Stivenson, Adam Cockburne of that Ilk, Mr. Archibald Hope of Rankeillor, his tutors, *against* the following persons, to obtemper Decreet by the Lords of Council and Session, 18 May 1685, at instance of late Earl of Haddington, ordaining them to make payment to the said executor and his tutors of the quantities of victual, parsonage and vicarage teinds and others, as follows:—William Pringle

in Trongateshaw, James Pringle, Thomas Waddell, and George Alexander there, 10 bolls bear, corn, and fodder, 16 bolls oats, 4 bolls pease, 4 bolls rye, 3 bolls wheat, all corn and fodder, equally among them yearly for crops 1678, 1679 and 1680, at 6 l. 3 s. 4 d. the boll, as the parsonage teinds of their lands, with 20 lambs at 1 l. 10 s. the piece, 10 stones of butter at 3 l. the stone, —— rucks of hay worth 6 l. the ruck, for the vicarage [teinds] of the said lands, crops foresaid; James Davidsone in Deanbrae, 10 bolls bear, 12 bolls oats, 4 bolls pease, 4 bolls rye, 4 bolls wheat, all corn and fodder, at the above prices, 20 lambs, 5 stones butter, 5 stones cheese, —— rucks of hay, same crops; William Davidsone in Hounamgrange, John and Robert Midlemiss in Easter Hounamgrange, James Midlemest, Helen Lilico, and William Midlemest, a chalder of bear, 24 bolls oats, 5 bolls rye, 5 bolls pease, 4 bolls wheat, all corn and fodder, with 15 stones butter, 15 stones cheese, 30 lambs, said crops and prices; James Alexander in Southcoat, John and James Midlemest there, a chalder of bear, 2 chalders oats, 5 bolls wheat, 5 bolls pease, 5 bolls rye, all corn and fodder, 30 lambs, 20 stones cheese, 20 stones butter, for teinds of their lands, crops and prices foresaid; John Broun in Caltoncoat and David Wilkisone there, a chalder of bear, 24 bolls oats, 5 bolls wheat, 5 bolls pease, 5 bolls rye, all corn and fodder, with 30 lambs, 20 stones cheese, 6 stones butter, same prices and crops; Andrew Stivensone in Sourhope and James Young in Cocklawfoot, 10 bolls bear, a chalder of oats, 5 bolls wheat, 5 bolls pease, 5 bolls rye, all corn and fodder, 60 lambs, 60 stones butter and cheese, —— rucks of hay, same prices and crops; Andrew Kerr of Chatto, John Kerr of Gaiteshaw, Mr. John Scott, minister at Oxnam, and Sir Alexander Done of Newtone, each in so far as they have uplifted the rents and duties of the said lands from the said tenants and possessors and rest joint duties both for stock and teind; also against all for the same quantities and proportions, crops 1681, 1682, 1683, and 1684. Dated Edinburgh, 21 January 1687.

Executions: 7 and 8 April 1687, by Andrew Phaupe,

messenger, against William and James Pringle in Tounegateshaw, William Davidsone in Hownamgrange, William and John Middlemess in Easter Hownamgrange [*sic*], William and John Midlemess in Southcoat [*sic*], and John Kerr of Shaw [*sic*], personally, and against Andrew Kerr of Chatto at his dwelling-house of Burnhouse; witnesses, James Phaupe, sheriff officer in Lantone, John Kerr, indweller in Morbottle. 3 May 1687, by the same, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), John Robsone, glover in Jedburgh, William Moscrop, sheriff officer; (at Melrose) Andrew Phaupe, younger, there, William Mercer, his servitor.

September 8. HORNING—William Turnbull of Sharplaw *against* Mark Kylle, indweller in Lessudene, and Marjory Reid his spouse, who granted Disposition, 30 January 1677, acknowledging themselves addebted to the complainer in 38 l. Scots, and obliging themselves to dispone heritably to him the houses, insight plenishing pertaining to them in Lessudene, only redeemable if besides the principal sum and annual rents the expenses disbursed by the complainer were also refunded; whereupon the complainer obtained Decreet of the bailie of regality of Melrose, 4 April 1685, against them to implement the bargain. Dated Edinburgh, 12 April 1687.

Executions: 22 April 1687, by Andrew Phaupe, messenger, against Marjory Reid personally, and affixing a copy on the door of Mark Kylle's dwelling house in Lessudane; witnesses, Andrew Phaupe, younger, in Melrose, William Mercer his servitor. 8 September 1687, by the same, at the market cross of Melrose; witnesses, James Ellies, walker Raw, portioner of Melrose, and John Leithead there.

1690. May 5. HORNING—Thomas, Earl of Hadingtone, and Robert Faa, his bailie and factor, *against* all and sundry heritors, etc., of the lordship of Melrose, Coldstreame and Binning, to relieve the said factor for the blench and feu duties of

their lands from 31st July 1688 to 31st July last, for which the said Robert has accounted in Exchequer. Dated Edinburgh, 4 February 1690.

Executions: 8, 10, 11, 14, 18 and 19 March, 8 and 9 April 1690, by James Blaikie, messenger, against the following persons, given up in list to him, viz.—8 March 1690, William Bell in Galtounsyde, 61 l. 11 s.; Mungo Dalgleish there, 19 l. 8 s.; John Thomsone there, 8 l. 15 s. 6 d.; George and Robert Frier there, 29 l. 4 s.; Thomas Hallywall there, 38 l.; Robert Mertone and John Taite there, 21 l.; Janet Halliwall there, 20 l.; William Boustone, herd, 2 l. 2 s. 4 d.; Thomas Boustone, Weynd, 18 l. 17 s. 4 d.; Thomas Boustone, Eastcoat, and William his son, 17 l. 5 s.; William Wright, there 6 l. 3 s.; Andrew Hallywall, Donater, 5 l. 12 s.; James Mylles there, 4 l. 6 s.; James Mathiesone, 8 l. 8 s.; James Leathane there, 11 l. 4 s.; Robert and John Dinnond there, 48 l. 6 s. 8 d.; William Mertone there, 62 l.; Robert Frier there, 35 l. 2 d.; Robert Mein, Tounhead, 246 l. 13 s. 9 d.; Thomas Moffat there, 6 l. 9 s.; Isobel Thomsone there, 11 l.; Robert Scott there, 15 l.; Walter Vaitch there, 35 l. 10 d.; Robert Ormistoun there, 5 l. 7 s.; William Boustone, weaver there, 3 l. 3 s.; Thomas Boustone, Dukedub, 11 l. 10 s. 10 March 1690, Thomas Wilkieson, clerk in Melrose, 679 l. 4 s. 1 d.; William Lythgow there, 49 l. 9 s. 10 d.; William Cook there, 12 l.; Margaret Lythgow and James Ellies, her son, there, 101 l. 5 s. 8 d.; James Wallace there, 380 l. 10 s. 3 d.; Isobel Frater there, 83 l. 4 d.; William Bell in Galtounsyde and Christian Broun in Melrose, 31 l. 4 s. 4 d.; James Ellies, walker Raw, 126 l. 16 s. 2 d.; James Phaupe in Dryburgh and Bessie Douglass his mother in Melrose, 167 l. 17 s. 4d.; James Lamb there, 110 l.; Thomas Mercer there, 4 l. 16 s. 4 d.; Isobel Ellies, widow of James Edgar there, 465 l. 4 s. 10 d.; Walter Donaldsone and his tenant William Hopkirk there, 91 l. 14 s. 4 d.;

James Mertone there, 59 l. 18 s. 7 d.; Patrick Luikup and Andrew Penman his tenant, 109 l. 10 s. 3 d.; Andrew Tunno there, 60 l.; Robert and Helen Ridfoord, 8 l. 4 s. 2 d.; Marion Sheill, widow of James Mylne there, and Christian Mylne, his lawful daughter and apparent heir, 95 l. 6 s. 4 d.; Alison Bell, widow of John Bowar there, 3 l. 15 s. 6 d.; Michael Gibsone there, 40 l. 13 s. 4 d.; Thomas Luckup there, 28 l. 13 s. 4 d.; George Blaikie there, 110 l. 13 s. 4 d.; Walter Ker, 55 l. 6 s. 8 d.; Michael Wallace there, 400 l.; Thomas Mertone in Danieltoun, 30 l.; Gilbert Vailsh there, 400 l. 6 s. 8 d.; James Lees there, 430 l. 6 s. 8 d. 11 March 1690, Isobel Fisher, widow of Andrew Chisholme, portioner of Darnick, and John Dalgleish her tenant, 100 l.; Robert Hallywall there, 37 l. 13 s. 2 d.; John Ushar there, 96 l. 7 s. 7 d.; Nicol Merser there, 76 l. 1 s,; Adam Neill there, 14 l. 14 s. 2 d.; Andrew and James Mercer, Poolie, there, 113 l. 7 s. 2 d.; Alexander Hittone there, 4 l. 18 s. 2 d.; Andrew Kennedie there, 58 l. 10 s. 10 d.; Andrew Renaldsone there, 38 l. 6 s. 6 d.; Walter Vair there, 4 l. 18 s. 4 d.; Andrew Hounam there, 19 l. 11 s. 6 d.; John Hittone, Wester, there, 65 l.; John Simpsone there, 35 l. 16 s. 8 d.; William Moodie there, 11 l. 4 d.; Hugh Boustone there, 14 l. 13 s. 2 d.; John Moss there, 62 l. 17 s. 4 d.; Isobel Moss, widow of George Mercer there, 35 l. 12 s.; William Mercer, Byer-end [?] there, 57 l. 15 s. 4 d.; Hugh Boustone, James Fisher, Robert Marr, Robert Hallywall, burlamen in the town of Darnick, 161 l. 4 s. 14 March 1690, Janet Mein in Melrose, portioner of Eildone, and John Quarie and Robert Lowrie her tenants, 22 l. 4 s. 4 d.; —— Vair in Eildone and John Bowar his tenant there, 24 l. 3 s. 8 d.; John Sklaiter and his brother Robert there, 25 l. 19 s. 8 d.; James Hunter in Melrose and Thomas Hittone his tenant in Eildone, 44 l. 4 s. 8 d.; James Bowar,

mason there, 122 l. 3 s. 10 d.; Helen Fouler, widow of George Lourie, and his son Robert Lourie there, 19 l. 4 s. 4 d.; Robert Leathane there, 24 l. 4 s. 8 d.; Robert Cochrane in Lessudene and William Eccles in Newtone, 160 l.; James Laidlaw, younger there, 22 l. 11 s.; James Laidlaw, elder, 14 l. 11 s.; James Stewart, and William Kerr his tenant there, 36 l.; Agnes Fisher, widow there, 23 l. 15 s. 6 d.; John Wintrope there, 36 l.; Helen Bullman, widow of James Turnbull there, 35 l. 13 s. 6 d. 18 March 1690, William Fisher in Newstead, 48 l. 18 s.; Andrew Sklaiter there, 26 l. 9 s.; Andrew Mein, Bridgend there, 40 l.; John Buinzie, weaver, 2 l. 5 s. 8 d.; Thomas Buinzie his son, 2 l. 5 s. 8 d.; Bernard Mein and George Mein, Tounhead, 18 l. 4 s.; Mr. Andrew Mein of Moristoun, there, 303 l. 14 s.; Andrew Mein, Hill, there, 29 l. 18 s.; John Mein and Thomas Mercer there, tenants to John Rodger, 173 l. 3 s.; James Mein, Byers there, 111 l. 19 s. 8 d.; Robert, James and Robert Meins there, 60 l. 4 s.; James Mein, son of Alexander Mein there, 9 l. 2 s. 8 d.; Andrew Wilsone there, 13 l. 14 s. 8 d.; Alison Bunzie there, 2 l. 5 s. 8 d.; Robert Mein there, her son, 4 l. 11 s. 4 d.; James Buinzie, weaver there, 9 l. 2 s. 8 d.; John Mein, Cuddiebutts, in Lessudene, 6 l. 19 March 1690, William Drummond in Bridgend, 7 l. 7 s. 2 d.; George Hounam there, 33 l. 3 s. 4 d Maly Boustoun there, 4 l. 7 s. 7 d.; John Mercer, Lochbreast there, 2 l. 14 s. 11 d.; Andrew Turnbull there, 190 l. 5 s. 4 d.; Andrew Boustone there, 3 l. 19 s. 10 d.; John Ushar in Darnick, 44 l. 10 s. 6 d. James Hounam in Bridgend, 12 l. 19 s. 10 d. Andrew Beatie there, 5 l. 8 s. 10 d. 8 April 1690, David Denholme and Bessie Thomsone, his tenant in Ridpeth, 117 l. 10 s. 4 d.; John Andersone there, 17 l. 4 s. 4 d.; John Rodger and John Broun his tenant, 42 l. 2 s. 8 d.; John Cairncross there, 53 l. 18 s.; William Montgomerie, and Thomas Watsone in Blainslie, and Anna Sandersone, widow

of John Sounes, his tenants, 16 l. 6 s.; William Darling and Thomas Davidsone there, tenants to the Laird of Hackburne, 25 l. 4 s.; Barbara Carncross in Longhaugh, widow of Mr. William Dovegood, 116 l. 10 s. 6 d.; Mr. Andrew Darling and James Darling, Appletreeleaves, William Wilsone and George Pringle in Langhaugh, his tenants, 37 l. 15 s. 6 d.; Sir William Elliot of Stobs and Thomas Scott of Whitslaid, and Simon Wadderstone and John Steall in Colmsliehill, John Moffat, John Hardie, Andrew Noteman and John Foord in Mosshouses, their tenants, 305 l. 11 s. 8 d.; Andrew Fisher of Housbyere, 300 l.; John Murray of Wooplaw, and James Moffat his tenant, 6 l.; James Fisher of Sorrowlesfeild, and his tenants, John Hall there, Robert Fisher and Andrew Broun in Clackmae, 1218 l. 8 s. 2 d.; Alexander Trotter of Easterhousbyre, 1020 l. 17 s.; James Mercer his tenant there, 133 l. 6 s. 8 d.; John and William Steall, his tenants there, 113 l.; Adam Darling in Westhouses, 8 l. 6 d.; Thomas Williamson in —— for his houses and land in Gattonsyde, 100 l. 9 s.; John and Thomas Leathane in Gattonsyde, 34 l. 9 April 1690, Andrew Ker of Littledean, and Robert Greive and James Scott in Plewaland his tenants, 200 l. All these were personally apprehended, except a few; witnesses (at Galtounsyde), Andrew Marr, portioner there, and James Marr, his eldest lawful son; (Darnick and Bridgend), James Kennedie, and —— Griersone, lawful son to William Griersone, weaver there; (Newstead) John Mein, maltman, portioner there, and Robert Mein, his son; (Eildone) the said James Kennedie, and William Sklaiter, lawful son of deceased William Sklaiter, portioner of Newstead; (Newtoun) John Mylne, portioner there, and Mungo Mylne, his eldest lawful son; 'and before thir witnesses, Andrew Kennedie, portioner of Darnick, and the said James Kennedie, his lawfull son.' 21 April

1690, by the same, at the market cross of Melrose; witnesses, Mr. Thomas Byers, schoolmaster at Melrose, Thomas Ker, lawful son of John Ker there.

HORNING—Andrew Marr, portioner of Galtounsyde, *against* William Kerr of Broodwoodsheill, who granted Bond, 8 August 1685, for 300 merks, with 20 l. of penalty, registered by the complainer 9 July 1687 in the regality books of Melrose. Dated Edinburgh, 25 March 1690. December 19.

Executions: 12 June 1690, by Mark Hendersone, messenger, against William Kerr, personally apprehended; witnesses, John Alison, officer and burgess of Lauder, and John Tinslaw in Mountmylne. 16 December 1690, by James Blaikie, messenger, at the market cross of Melrose; witnesses, George Blaikie, officer in Melrose, James Wallace and James Bowie, merchants there.

INHIBITION—John Andersone, eldest lawful son of deceased William Andersone, portioner of Ridpeth, and Elspeth Vaitch his spouse, *against* Walter Vaitch, portioner of Galtounsyde, to implement Contract of Marriage, 21 November and 2 December 1673, between the said John and William Andersone on the one part and Walter Vaitch and the said Elspeth, his youngest lawful daughter, on the other part, wherein Walter Vaitch obliged himself to pay 200 merks of tocher and provide and secure them and their heirs in the just third part of his onstead of houses, yard and 4 acres of land in Gattonsyde, with teind sheaves and pertinents, and the third part of his moveable goods, debts, victual and insight plenishing, reserving his liferent use thereof, under pain of 100 merks; which contract was registered in the regality books of Melrose, 2 July 1681. Dated Edinburgh, 26 November 1690. December 30.

Executions: 9 December 1690, by James Blaikie, messenger, against him personally; witnesses, Robert Murray, son of James Murray, gardener in Melrose, and Robert Hunter, son of deceased John Hunter, cordiner there. Same day, by same, at the market cross of Melrose; same witnesses. 23

December 1690, by the same, at market cross of Jedburgh; witnesses, John Rutherfoord, burgess of Jedburgh, and James Tait, 'tylor' there.

1692. June 11. HORNING—Robert Faa, late bailie of Melrose, *against* John Pattone, portioner of Lessuddane, and tenant in Camistoun, now in Corsflat, and Robert Cochrane, portioner of Lessudene, his cautioner, who granted Bond, 21 November 1691, in corroboration of the complainer's former diligence against the said John Pattone for 582 l. 19 s. 2 d. Scots, with 40 l. of penalty. Dated Edinburgh, 20 May 1692.

Executions: 3 June 1692, by James Blaikie, messenger, against the cautioner personally and the principal at his dwelling house; witnesses, John Coat, portioner of Lessudene, Robert Lamb in Melrose. 11 June 1692, by the same, at the market cross of Melrose; witnesses, George Blaikie, portioner of Melrose, and Henry Gibsone, flesher there.

June 24. INHIBITION—Andrew Marr, portioner of Galtounsyde, *against* Michael Wallace, lawful son of deceased William Wallace, merchant in Melrose, who granted Bond, 24 May 1689, to him for 100 merks, and 10 merks of expenses. Dated Edinburgh, 16 June 1692.

Executions: 22 June 1692, by James Blaikie, messenger, against Michael Wallace personally; witnesses, George Blaikie, portioner in Melrose, John Bowar and George Lamb there. Same day, at the market cross of Melrose; same witnesses. 28 June 1692, at the market cross of Jedburgh; witnesses, John Maccubie, messenger there, Andrew Young commissary officer there, and Adam Turnbull, indweller in Nether Ancrum.

July 3. HORNING—Same *against* same. Dated Edinburgh, 16 June 1692.

Executions: 21 June 1692, by James Blaikie, messenger, against Michael Wallace at his dwelling house; witnesses, John Bowar, lawful son of deceased John Bowar, weaver, portioner of Melrose, and George Lamb, son of James Lamb there.

30 June 1692, at the market cross of Melrose; witnesses, James Bowie, merchant in Melrose, and John Pursell there.

1693. January 7.

HORNING—Robert Buinzie, mason, portioner of Newstead, *against* Andrew Wilsone, portioner of Newstead, who granted Bond, 26 August 1672 to him for 200 merks and another Bond, 15 November 1673, for 50 merks, both registered 29 January 1676; also *against* James Bowie and William Lang, wrights in Melrose, to fulfil Indenture, 30 November 1689, between them and the complainer, wherein they obliged themselves 'to cutt heugh saw and dight sufficiently als many couples and jests as would serve ane house at Headshaw conforme to ane bargaine made be the complainer with the lands there and to laith the said house either with dale laithing or saw other laithing as it can be had upon the expences of the said James Bowie and William Lang, and for the whilks work the compleaner band and oblidged him to pay to the said James and William the soume of viz., the soume of tuintie eight shilling Scotts for ilk couple with the laithing and eight shilling for ilk jeast sufficiently done as use is and to be payed as the work goes on, and for any other couples or jeests that was allready done or needed help then and in that caice they were to help upon dayes wages to be payed by the compleaner,' under a penalty of 10 merks; also *against* Walter Breadie, mason in Girnlaw [*sic*], who gave Bond, 25 January 1687, to the complainer for 44 l. Scots; also *against* Bernard Mein, portioner of Newstead, and Bessie Mein his spouse, for 100 merks contained in their Bond, 25 May 1690; and *against* William Fisher, portioner of Newstead, for 50 merks, due by Bond, 29 September 1690. The letters are dated Edinburgh, 15 June 1692.

Executions: 29 July 1692, by James Blaikie, messenger, against them, all personally apprehended, except James Bowie; witnesses, Robert Huntar and John Bowar in Melrose. 29 December 1692, by the same, at the market cross of Melrose; witnesses, William Chisholme, portioner of Darnick,

and Thomas Vair, portioner of Newtoun, and Robert Hunter, portioner of Melrose.

July 7. HORNING—Andrew Tunno, procurator fiscal of the regality court of Melrose, *against* James Lythgow, younger of Drygrange, and Walter Lythgow, lawful son of Thomas Lythgow, portioner of Ridpeth, to obtemper Decreet, 8 April last, by the bailie of regality ordaining them to pay to the complainer 200 l. and 100 l. Scots respectively. Dated Edinburgh, 9 May 1693.

Executions: 29 May 1693, by James Blaikie, messenger, against both at their fathers' dwelling houses; witnesses, Andrew Patersone, lawful son of James Patersone, portioner of Danieltoun, and Robert Lamb, lawful son of James Lamb in Melrose. 3 July 1693, by the same, at the market cross of Melrose; same witnesses.

1698. May 16. INHIBITION—Thomas Luckup, eldest lawful son of Patrick Luckup, wright, portioner of Melrose, *against* said Patrick Luckup who on 4 February last obliged himself, as the complainer had undertaken to pay to his cousin William Luckup, wright in Drumlanrig, 300 merks, and to pay bygone feu-duties resting due to the Earl of Hadingtone, to grant a heritable disposition to him of his whole houses, yards and lands in Melrose, and cause Jean Fisher his spouse renounce her contract of marriage in favour of the complainer and his wife upon the complainer's allowing to him and his said spouse their liferent right of the houses, yards and lands not contained in the contract of marriage between the complainer and his spouse, Agnes Miller, and upon the complainer's paying to him 50 merks, at the rate of 10 merks each Whitsunday term, and giving a stance for building a house to his second son, under the penalty of 500 merks. Dated Edinburgh, 27 April 1698.

Executions: 11 May 1698, by James Blaikie, messenger, against him personally, and at the market cross of Melrose; witnesses, Alexander Bell, lawful son of deceased John Bell, weaver, portioner of Melrose, and Andrew Luckup, lawful son of Thomas Luckup,

wright in Melrose. 15 May 1698, by Ralph Robsone, messenger, at the market cross of Jedburgh; witnesses, Mark Kerr, apprentice to Robert Donaldsone, wright in Jedburgh, and William Rutherfoord, glover there.

INHIBITION—John Hoy, smith, portioner of Lessudene, *against* William Porteous, sometime in Lantounlaw, now indweller and portioner of Lessudene, and James Porteouse, his eldest lawful son, cautioner for him, in heritable Bond, 4 July 1695, to Andrew Hendersone therein designed late in Thicksyde, then in Westoun, now Scraesburgh Moss syde, and Jean Yuill his spouse, for 700 merks, with 70 merks of penalty; who on 24 June 1697 disponed to Henry Young of Oxnamsyde, late bailie of Jedburgh, an annualrent of 28 l. effeiring to the sum of 500 merks advanced by him, upliftable from the lands specified in the said heritable bond (not here named); who assigned the same on 27 May last to the complainer; also *against* the said William Porteouse, who granted Bond, 2 August 1697, to the complainer for 300 merks. Dated Edinburgh, 7 June 1698. August 4.

Executions: 5 July 1698, by James Blaikie, messenger, against them personally; witnesses, John Thomsone, innkeeper in Lessudene, and George Walker, reader at St. Boswells. Same day, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh) the said John Thomsone, and Robert Lamb, servitor to Mr. George Byers, minister at St. Boswells; (at Melrose) James Phaupe, gardener in Melrose, and Thomas Hislope, his servitor.

HORNING—Mr. Mark Duncansone of Greatlaws *against* James Trotter, wright, portioner of Newstead, who gave Bond, 2 March 1696, to him for 200 merks. Dated Edinburgh, 30 August 1698. September 24.

Executions: 12 September 1698, by James Blaikie, messenger, a copy being delivered to James Trotter's wife at his house in Newstead; witnesses, John and William Lourie, lawful sons of John Lourie, 'tylor,' portioner of Melrose. 24 September 1698, at the

market cross of Melrose; witnesses, James Penman, glover, portioner of Melrose, and John Sheill, weaver.

November 22. HORNING—John Hounam in Darnick *against* Robert Edgar in Melrose for 73 l. 5 s. Scots and 10 l. 14 s. of expenses contained in Decreet by the bailie of regality of Melrose, 27 November 1697. Dated Edinburgh, 27 September 1698.

Executions: 2 November 1698, by James Blaikie, messenger, against him personally; witnesses, John Lourie and Robert Blaikie, residenters in Melrose. 22 November 1698, at the market cross of Melrose; witnesses, as above.

1699. April 11. HORNING—John Donaldsone in Gallasheills *against* Andrew Dasone in Melrose to fulfil conditions of Tack by complainer to him, 4 May 1695, of his houses and yards in Melrose (reserving the malt kiln, barn and steep), and these two acres and a half of land in the Annay of Melrose with the teindsheaves and pertinents, as then possessed by said Andrew Dasone himself, for nine years for 31 l. 6 s. 8 d. yearly of tack duty, under reservation to the granter on forty days' warning to recal the tack and enter Walter Donaldsone, his eldest brother, therein; the said Andrew Dasone keeping the houses in good condition, tirring and thatching them at his own expense, the complainer furnishing timber and stone and paying the masons and wrights, while the said Andrew Dasone furnished meat and drink. The Tack was registered 11 July 1696 in regality books of Melrose. Dated Edinburgh, 25 January 1699.

Executions: 10 February 1699, by James Blaikie, messenger, against Andrew Dasone, personally apprehended, to pay the tack duty and fulfil the conditions foresaid; witnesses, Charles and Robert Blaikie, lawful sons of deceased George Blaikie, portioner of Melrose, 11 April 1699, at the market cross of Melrose; witnesses, Robert Blaikie and Alexander Cook, residenters in Melrose.

1700. July 18. HORNING—James Wilkiesone, writer in Melrose, *against* debtors, as follows, in terms of Decreet of bailie of regality,

23 December last, viz.—James Lamb in Melrose, and Margaret Wauch, his spouse, 16 l. 8 s. Scots, and 2 l. 2 s. of expenses of plea; Robert Edgar, baker there, 13 l. 3 s., with 2 l. expenses of plea; John Buinzie, gardener, 1 l. 14 s., with 8 s. expenses; James Penman, glover there, 13 l. 3 s., with 2 l. expenses; John Dalgleish, flesher, and Jean Drover his spouse, 20 l. 8 s., with 3 l. expenses; James Olipher, cordiner there, and Jean Leithead his spouse, 2 l. 2 s., with 10 s. expenses; Andrew Dasone there, 2 l. 14 s., with 10 s. expenses; James Dasone in ——, 10 l., with 1 l. 10 s. expenses; John Hounam, portioner of Bridgend, 12 l. 8 s., with 2 l. expenses; Thomas Buinzie, Wester, mason, portioner of Newstead, 25 l., with 4 l. expenses; John Thomsone in Lessudene, and Anna Riddell his spouse, 20 l. 10 s., with 3 l. expenses; William and George Bonnintone, tenants in Maxpoffle, 96 l. 16 s., with 12 l. expenses of plea. Dated Edinburgh, 13 January 1700.

Executions: 20 and 27 January and 17 June 1700, by James Blaikie, messenger, against them, all personally apprehended; witnesses, John Lourie, son of John Lourie, 'tylor,' portioner of Melrose, and Robert Blaikie, son of deceased George Blaikie, portioner. 17 July 1700, at the market cross of Melrose; Robert Blaikie and Robert Simpsone, indwellers in Melrose.

1701. May 30.

HORNING—John Haliburtone, younger of Muirhouslaw, tacksman of the lordship of Melrose, against the following persons, vassals within the same, in terms of Decreet of regality court, 23 November 1700, viz.—John, Earl of Roxburgh, 883 l. 6 s. 8 d. Scots, with 40 l. expenses of plea; —— Hay of Drumalziar, 256 l. 13 s. 4 d., with 10 l. expenses; Henry Douglass of Friershaw, 106 l. 13 s. 4 d., with 5 l. expenses; Sir Walter Riddell of that Ilk, 10 l., with 1 l. expenses; Sir William Scott of Harden, 75 l. 2 s., with 4 l. expenses; Sir Francis Scott of Thirlestoun, 170 l., with 5 l. expenses; Patrick, Earl of Marchmount, 23 l. 5 s., with 2 l. expenses; —— Scott of Whitslaid, 58 l., with

3 l. expenses; [Mark(?)] Kerr of Moristoun, 50 l. 13 s. 4 d., with 3 l. expenses; [Andrew] Kerr of Littledean, 400 l., with 30 l. expenses; —— —— of Spott, 666 l. 3 s. 4 d., with 3 l. expenses; —— —— of Roughlaw, 180 l., with 5 l. expenses; —— Pringle of Whitbank, 10 l., with 1 l. expenses; —— —— of Harhope, 633 l., with 30 l. expenses; —— Scott of Phaupe, 86 l. 13 s. 4 d., with 5 l. expenses; —— Scott of Burnfoot, 10 l., with 1 l. expenses; —— Scott of Brierieyairds, 19 l., with 1 l. expenses; —— Dicksone of Overmaines, 145 l. 11 s., with 5 l. expenses; Sir Alexander Purvese of Purvesehall, 38 l. 7 s. 11 d., with 2 l. expenses; James Wilkiesone and John Minto in Selkirk, 25 l. 13 s. 4 d., with 2 l. expenses; ——, Earl of Tweedale, 19 l. 10 s., with 1 l. expenses; Mr. John Stoddart of Camistoun, 1 l. 13 s. 3 d., with 6 s. expenses; —— Menzies of Culterrauers, 39 l. 4 s., with 2 l. expenses; Archibald Douglass of Cavers, 37 l. 5 s. 4 d., with 2 l. expenses; —— Corser, tenant in Hassingtoun, 3 l. 7 s. 6 d., with 10 s. expenses; —— Dicksone of Harlaw, 18 l. 14 s. 6 d., with 1 l. expenses; Sir Alexander Done of Newtone, 2 l. 11 s. 9 d., with 6 s. expenses; —— Hope in Hassingdeaneburne, 14 l., with 1 l. expenses; —— Wood in Milnhaugh in Hounamgrange, 34 l. 13 s. 4 d., with 2 l. expenses; Walter [Cairncross] of Hilslope, 141 l. 17 s. with 5 l. expenses; Francis Brydene, tenant in Eister Langlie, 104 l. 6 s. 8 d., with 5 l. expenses; William Darling, tenant there, 26 l. 1 s. 8 d., with 1 l. expenses; Simon Wadderstoun and Thomas Turner, tenants in Colmslie, 105 l. 13 s. 4 d., with 5 l. expenses; James Nicolsone of Trabroun, 141 l. 8 s. 4 d., with 5 l. expenses; James Turner, tenant in Hagburne, 52 l., with 3 l. expenses; Thomas Lythgow, portioner of Ridpeth, 142 l. 2 s. 8 d., with 5 l. expenses; David Denholme, portioner there, 140 l. 5 s. 8 d., with 5 l. expenses; Thomas Mylne, portioner there, 12 l. 15 s. 4 d., with 1 l. expenses; John Andersone portioner there, 42 l. 16 s. 8 d., with 2 l. expenses; —— Watsone, portioner there, 5 l. 10 s. 8 d., with 15 s. expenses; Margaret Wilkie there, 1 l. 7 s. 8 d., with 1 l. expenses; William Bell, portioner there, 10 s. 8 d.,

with 1 ł. expenses; John Broun of Park, 166 ł. 6 s. 8 d., with 5 ł. expenses; —— Sunhouse, portioner of Blainslie, 4 ł. 12 s., with 12 s. expenses; —— ——, tenant to the Laird Hagburne there, 3 ł. 12 s., with 10 s. expenses; John Wallace there, 3 s., with 18 s. expenses; John Stirling, portioner there, 1 ł. 16 s., with 5 s. expenses; —— ——, portioner there, 2 ł. 8 s., with 6 s. expenses; —— Cranstoun, portioner there, 3 ł. 12 s., with 10 s. expenses; James Greive, portioner there, 2 ł. 8 s., with 3 s. expenses; Thomas Laidlaw, portioner there, 1 ł. 12 s., with 4 s. expenses; John Thine, portioner there, 7 ł., with 1 ł. expenses; Thomas Darling, elder, portioner there, 64 ł. 2 s. 8 d., with 3 ł. expenses; —— ——, portioner, 2 ł. 2 s. 9 d., with 4 s. expenses; Thomas Darling there, 1 ł. 17 s. 10 d., with 5 s. expenses; —— ——, portioner there, 11 ł. 11 s. with 1 ł. expenses; Edward Darling portioner there, 2 ł. 8 s., with 7 s. expenses of plea; George Rolmaines, portioner there, 1 ł. 16 s. 9 d., with 5 s. expenses; Alexander Scott, portioner there, 2 ł. 1 s. 4 d., with 7 s. expenses; —— Gray, portioner there, 6 ł. 4 s., with 18 s. expenses; James Pringle, portioner there, 6 ł. 4 s., with 18 s. expenses; George Rolmaines [*sic*], portioner there, 12 s., with 3 s. expenses; James ——, elder, there, 4 ł. 1 s. 8 d., with 10 s. expenses; —— Ker of Broodwoodsheill, 2 ł. 4 s., with 3 s. expenses; —— Darling, portioner of Appletreeleaves, 181 ł. 6 s. 8 d., with 5 ł. of expenses; —— ——, portioner there, 105 ł. 19 s. 6 d., with 5 ł. expenses; Mr. Andrew Darling, portioner there, 121 ł. 2 s., with 5 ł. expenses; George ——, portioner there, 15 ł. 4 s., with 15 s. expenses; Hugh Darling, 5 ł., with 10 s. expenses; —— Moffatt, portioner of Threepwood, 9 ł. 4 s. 9 d., with 1 ł. expenses; Thomas Pringle, portioner there, 10 ł. 2 s. 9 d., with 1 ł. expenses; Andrew Lythgow, portioner there, 13 ł. 10 s. 4 d., with 1 ł. expenses; Edward Lythgow, portioner there, 24 ł. 6 s. 6 d., with 2 ł. expenses; William Bell, portioner of Galtounsyde, 14 ł. 16 s. 5 d., with 1 ł. expenses; John Wright, portioner there, 4 ł. 15 s., with 12 s. expenses; John Halyburtone, 'tylor,' portioner there, 105 ł. 7 s., with 5 ł. expenses;

—— Thomsone, portioner, 8 l. 3 s., with 1 l. expenses; Thomas Thomsone, portioner there, 24 l. 5 s. 4 d., with 2 l. expenses; Mungo Dalgleish, portioner there, 19 l. 4 s., with 1 l. expenses; William Fisher, portioner there, 24 l., with 2 l. expenses; George Frier, portioner there, 38 l. 2 d., with 2 l. expenses; Thomas Hallywall, elder, portioner there, 137 l., with 5 l. expenses; George Bartone, portioner there, 33 l. 13 s. 5 d., with 2 l. expenses; Janet Scott there, 2 l., with 4 s. expenses; James Leathane, portioner there, 11 l. 14 s. 9 d., with 1 l. expenses; James ——, portioner there, 7 l. 19 s., with 1 l. expenses; John Dinnond, portioner there, 22 l. 13 s., with 1 l. expenses; John Bartone, portioner there, 23 l. 1 s. 8 d., with 2 l. expenses; —— Ormistoun, portioner there, 32 l. 1 s. 9 d., with 2 l. expenses; William Mertone, portioner there, 59 l. 5 s. 6 d., with 3 l. expenses; Thomas Williamsone, portioner there, 61 l. 17 s., with 3 l. expenses; Thomas Mertone, 'tylor,' portioner there, 16 l. 4s. 9 d., with 1 l. expenses; John Summervale, portioner there, 14 l. 3 s. 11 d., with 1 l. expenses; William Mein, portioner there, 38 l. 11 s. 10 d., with 2 l. expenses; Walter Scott, portioner there, 42 l. 12 s. 4 d., with 3 l. expenses; William Mertone, elder, portioner there, 5 l. 16 s. 8 d., with 15 s. expenses; Robert Scott, portioner there, 58 l., with 3 l. expenses; Patrick Thomsone, portioner there [no sum stated]; Robert Halywall, portioner there, 40 l., with 2 l. expenses; Robert Philp, 'tylor' there, 5 l. 12 s. 2 d., with 15 s. expenses; Thomas Davidsone, portioner, 34 l. 7 s. 4 d., with 2 l. expenses; Janet Boustone there, 9 l. 9 s., with 1 l. expenses; Thomas Bowstone, weaver, portioner there, 3 l. 5 s. 2 d., with 10 s. of expenses; William Hoy, merchant, portioner, 21 l. 5 s. 3 d., with 2 l. expenses; Thomas Hallywall, Nook, portioner there, 10 l. 19 s. 10 d., with 1 l. of expenses; James Boustone, Dukedub, portioner there, 30 l. 12 s. 5 d., with 2 l. expenses; James Mylles, portioner there, 22 l. 11 s. 2 d., with 2 l. expenses; James Frier, portioner there, 21 l. 7 s. 10 d., with 2 l. expenses; James Mathiesone, portioner there, 32 l. 18 s. 3 d., with 2 l. expenses; —— ——

there, 10 l. 17 s. 4 d., with 1 l. expenses; Adam Darling, portioner of Westhouses, 22 l. 15 s. with 2 l. expenses; —— Patersone there, 5 l. 6 s. 8 d., with 15 s. expenses; —— —— there, 2 l. 13 s. 4 d., with 6 s. expenses; —— Hoy there, 2 l. 12 s., with 12 s. expenses; James Darling, portioner there, 2 l. 13 s. 4 d., with 6 s. expenses; John Hittone, Tower, portioner of Darnick, 37 l. 7 s., with 2 l. expenses; John and Patrick Thomsone, portioners there, 24 l., with 2 l. expenses; —— Wightman there, 4 l. 18 s. 4 d., with 12 s. expenses; John Moodie, portioner there, 46 l. 13 s. 2 d., with 3 l. expenses; Margaret Whyt, 9 l. 16 s. 8 d., with 1 l. expenses; John Hallywall, portioner there, 122 l. 16 s. 5 d., with 5 l. expenses; Robert Marr, portioner there, 150 l., with 5 l. expenses; John Ushar, portioner there, 260 l., with 10 l. expenses; William Griersone and John Hounam, 19 l. 9 s. 8 d., with 1 l. expenses; —— ——, 1 l. 10 s., with 8 s. expenses; William and John Walker, there, 10 l. 15 s., with 1 l. expenses; Nicol Mercer, portioner there, 100 l. 10 s., with 5 l. expenses; William Mercer, Wall, portioner there, 22 l. 17 s., with 2 l. expenses; John Hounam, portioner there, 14 l., with 1 l. expenses; John Drummond, elder, portioner there, 39 l. 16 s. 10 d., with 2 l. expenses; James Mercer, Pool, portioner there, 55 l. 19 s. 5 d., with 3 l. expenses; William Chisholme, portioner there, 207 l. 19 s., with 10 l. expenses; —— —— there, 60 l., with 3 l. expenses; —— ——, 86 l., with 3 l. expenses; Andrew Renaldsone, portioner there, 94 l. 11 s., with 4 l. expenses; John Smith, 10 l. 14 s. 10 d., with 1 l. expenses; Andrew Hounam, portioner there, 24 l. 5 s. 6 d., with 2 l. expenses; John Ushar, portioner there, 90 l. 15 s. 6 d., with 4 l. expenses; John Simpsone, portioner there, 88 l. 8 s. 10 d., with 3 l. expenses; John Drummond there, for himself and Hugh Boustone, portioner there, 161 l. 15 s., with 5 l. expenses; William Moss, portioner there, 19 l. 8 s. 11 d., with 1 l. expenses; —— Dalgleish there, 92 l. 9 s. 8 d., with 4 l. of expenses; Andrew Moss there, 136 l. 11 s. 4 d., with 5 l. of expenses; —— Heittone, 45 l., with 2 l. expenses; James Fisher, portioner there,

96 l. 2 d., with 4 l. expenses; John Mercer, portioner there, 85 l. 11 s. 10 d., with 3 l. expenses; Stephen Mertone, 4 l. 18 s. 4 d., with 12 s. expenses; George Mercer, herd there, 4 l. 18 s. 4 d., with 12 s. expenses; William Mercer, Hall, portioner there, 67 l. 8 s., with 3 l. expenses; —— ——, burliamen there, 529 l. 15 s. 2 d., with 25 l. expenses; —— Mercer, portioner of Bridgend, 14 l. 15 s., with 1 l. expenses; John Hounam, portioner there, and —— ——, his tenants, 102 l. 17 s. 10 d., with 3 l. expenses; Andrew Beaty, portioner there, 34 l. 8 s. 2 d., with 2 l. expenses; William Drummond, portioner there, 34 l. 8 s. 2 d., with 2 l. expenses; Leonard Hounam, portioner there, 20 l., with 1 l. expenses; —— ——, widow of —— ——, 16 l., with 1 l. expenses; Andrew Turnbull, portioner there, 62 l. 19 s. 4 d., with 3 l. expenses; John Mercer, Lochbreast, 28 l., with 1 l. expenses; William Cook, portioner of Melrose, 99 l. 6 s. 9 d., with 4 l. expenses; James Ellies of Huntlywood, and Margaret Lythgow, his mother, 225 l. 18 s. 8 d., with 10 l. expenses; James Simpsone, glover there, for Wallaces land, 245 l. 6 s. 8 d., with 10 l. expenses; James Wallace, portioner there, 81 l., with 4 l. expenses; Michael Wallace, portioner there, 521 l. 13 s. 4 d., with 25 l. expenses; Robert Ormistoune, —— ——; Christian Broun there, 4 l. 14 s. 4 d., with 12 s. expenses; —— Maxwell, portioner there, 56 l. 2 s. 2 d., with 3 l. expenses; —— ——, 340 l. 13 s., with 15 l. expenses; John Penman, portioner there, 49 l., with 2 l. expenses; —— ——, 55 l., with 3 l. expenses; Andrew Penman, portioner there, 74 l. 3 s. 4 d., with 3 l. expenses; John Donaldsone, merchant in Gallasheills, portioner of Melrose, and —— —— his tenants, 71 l. 8 s. 6 d., with 3 l. expenses; —— ——, 52 l. 1 s. 9 d., with 2 l. expenses; James Ellies, Walker Raw, portioner there, 50 l. 12 s. 8 d., with 2 l. expenses; James Ellies, portioner there, 3 l. 3 s. 5 d., with 10 s. expenses; George Proffitt, Thomas Gardiner, and Bessie Scott, portioners there, 212 l. 4 s., with 10 l. expenses; Robert Harvie, 96 l. 10 s. 8 d., with 4 l. expenses; Andrew Mertone, 9 l. 9 d., with 1 l. expenses; Patrick Luikup, portioner there, 196 l.

17 s. 2 d., with 5 l. expenses; —— Bell, portioner there, 2 l. 3 s. 8 d., with 6 s. expenses; —— ——, 1 l. 5 s. 2 d., with 4 s. expenses; Alexander Lyall, portioner there, 6 l. 5 s. 10 d., with 18 s. expenses; —— ——, widow of George Blaikie there, 143 l. 14 s. 4 d., with 5 l. expenses; John Mein, portioner there, 2 l. 16 s. 2 d., with 6 s. expenses; William Chisholme, tacksman of the mills there, 466 l. 13 s. 4 d., with 20 l. expenses; James Patersone, portioner of Danieltoun, 27 l. 1 s. 4 d., with 1 l. expenses; John Lowrie, portioner there, 16 l., with 1 l. expenses; Thomas Drummond, portioner there, 8 l., with 1 l. expenses; Thomas Mertone, portioner there, 52 l., with 1 l. expenses; William Luikup, portioner there, and —— —— —— his tenants, 39 l. 8 s., with 2 l. expenses; James Penman, portioner there, 65 l. 19 s., with 3 l. expenses; John Gibsone and James Hunter there, 46 l., with 2 l. expenses; James Lamb, portioner there, 29 l. 6 s. 8 d., with 1 l. expenses; Andrew Dasone there, 77 l., with 3 l. expenses; Robert Edgar there, 11 l., with 1 l. expenses; Robert Penman, portioner there, 36 l. 13 s. 4 d., with 1 l. expenses; John Penman, portioner there, 14 l. 13 s. 4 d., with 1 l. expenses; John Kerr, portioner there, 29 l. 6 s. 8 d., with 1 l. expenses; John Dalgleish there, 33 l., with 1 l. expenses; —— Sklaiter in Newstead, 38 l., with 1 l. expenses; Janet Mein there, 56 l. 3 s. 9 d., with 3 l. expenses; William Fishar, portioner there, 169 l. 15 s. 3 d., with 5 l. expenses; Thomas ——, portioner there, 62 l. 10 s. 8 d., with 3 l. expenses; Bernard Mein or —— ——, portioner there, 22 l. 16 s. 8 d., with 1 l. expenses; Andrew ——, weaver, portioner there, 3 l., with 10 s. expenses; Robert Mein, maltman, portioner there, 70 l., with 3 l. expenses; James Mein, Cowgate, portioner there, 4 l. 11 s. 4 d., with 12 s. expenses; Robert Eliot there, 40 l., with 2 l. expenses; Andrew Mein, Hill, portioner there, 97 l. 6 s. 8 d., with 4 l. expenses; Robert Mein, portioner there, 22 l. 16 s. 8 d., with 1 l. expenses; Robert Buinzie, mason, portioner there, 27 l. 6 s. 8 d., with 1 l. expenses; —— ——, 9 l. 2 s. 9 d., with 1 l. expenses; James Trotter, and —— —— —— his tenants, 96 l. 15 s. 8 d., with 4 l. expenses; —— ——,

31 l. 19 s. 10 d., with 1 l. expenses; James Mein, mason there, 27 l. 8 s. 4 d., with 1 l. expenses; John Mercer, portioner there, 13 l. 14 s. 4 d., with 1 l. expenses; George Mein, portioner there, 4 l. 11 s. 8 d., with 12 s. expenses; Andrew Wilsone, mason, portioner there, 102 l. 8 s. 4 d., with 5 l. expenses; —— ——, 34 l., with 1 l. expenses; William Mein, weaver there, 9 l. 2 s. 8 d., with 1 l. expenses; William Mein, smith, portioner there, 15 l. 10 s. 6 d., with 1 l. expenses; John Mein, Tounhead, portioner there, 18 l. 4 s., with 1 l. of expenses; —— Buinzie there, 17 l. 1 s. 8 d., with 1 l. expenses; Andrew Buinzie, John Mein and Robert Buinzie, weavers, portioners there, for the Glovers land, 22 l. 16 s. 8 d., with 1 l. expenses; John Buinzie, portioner of Eildone, 43 l. 12 s. 4 d., with 2 l. expenses; Richard Mein, portioner there, 24 l. 7 s. 4 d., with 1 l. expenses; William Sibbald, portioner there, 66 l. 13 s. 9 d., with 3 l. expenses; James Bowar there, 63 l., with 3 l. expenses; Nicol Bowar, portioner there, 90 l., with 4 l. expenses; John Glendinning, portioner there, 14 l. 4 s. 4 d., with 2 l. expenses; Alexander Mein, portioner there, 103 l. 7 s., with 5 l. expenses; —— ——, 51 l. 8 s. 8 d., with 2 l. expenses; John Sibbald, portioner there, 111 l. 1 s. 8 d., with 5 l. expenses; Robert Lowrie, portioner there, 164 l., with 5 l. expenses; Robert Leathane portioner there, 184 l., with 5 l. expenses; Robert Fairbairne, portioner there, 83 l. 19 s. 6 d., with 4 l. expenses; William Mylne, portioner there, 22 l. 4 s. 4 d., with 1 l. expenses; John Sklaiter, portioner there, 44 l. 8 s. 8 d., with 2 l. expenses; Andrew Heittone, portioner of Newtoun, 33 l. 11 s. 6 d., with 2 l. expenses; William Karr, portioner there, 229 l. 10 s. 3 d., with 10 l. expenses; William and Mungo Mylne, 97 l. 18 s. 9 d., with 4 l. expenses; James Laidlaw, portioner there, 92 l. 14 s., with 4 l. expenses; —— ——, 6 l. 2 s., with 12 s. expenses; —— Vair, portioner there, 16 l. 6 d., with 1 l. expenses; John Mylne, elder, portioner there, 15 l. 6 d., with 1 l. expenses; Nicol Cochrane, portioner there, 23 l. 7 s. 8 d., with 1 l. expenses; —— Mein, portioner there, 30 l. 1 s., with 1 l. expenses; —— Turnbull, portioner there, 30 l.

1 s., with 1 l. expenses; William Laidlaw, portioner there, 30 l. 1 s., with 1 l. expenses; John Wintrop, portioner there, 38 l., with 1 l. expenses; John Mylne, younger, portioner there, 39 l. 2 s., with 1 l. expenses; Thomas Stenhouse, portioner there, 196 l. 18 s. 6 d., with 5 l. expenses; John Riddell, portioner there, 23 l. 7 s. 8 d., with 1 l. expenses; Robert Cochrane, portioner there, 30 l. 1 s., with 1 l. expenses; Henry Cochrane, portioner there, 15 l. 10 s. 6 d., with 1 l. expenses; —— ——, 105 l. 11 s. 6 d., with 5 l. expenses; John Areskine of Skeillfeild, portioner of Lessudene, 14 l. 12 s. 4 d., with 1 l. expenses; Scott of Raeburne, 180 l. 6 s. 8 d., with 5 l. expenses; —— Gibsone there, 4 l. 5 s. 4 d., with 12 s. expenses; William Mabone, portioner there, 17 s. 1 d., with 3 s. expenses; John Eistone, portioner there, 1 l. 14 s. 2 d., with 4 s. expenses; John Pattone, portioner there, 11 l. 2 s. 1 d., with 1 l. expenses; James Hunter, portioner there, 3 l. 8 s. 4 d., with 18 s. expenses; Mungo Mylne, portioner there, 6 l. 6 s. 8 d., with 18 s. expenses; William Portouse there, 19 l. 16 s. 6 d., with 1 l. expenses; —— Kylle, portioner there, 2 l. 11 s. 3 d., with 4 s. expenses; —— ——, 5 l. 2 s. 6 d., with 12 s. expenses; David Ounes, tylor, portioner there, 36 l. 12 s. 6 d., with 1 l. expenses; George Pringle, portioner there, 5 l. 19 s. 7 d., with 15 s. expenses; —— ——, 5 l. 2 s. 6 d., with 15 s. expenses; Robert Cochrane, portioner there, 3 l. 8 s. 4 d., with 10 s. expenses; —— ——, 11 l. 17 s. 1 d., with 1 l. expenses; John Riddell, Easter, portioner there, 1 l. 14 s. 2 d., with 4 s. expenses; —— Karr of Fodderlie, 20 l. 18 s.; with 1 l. expenses; Mr. [?] Patrick [*sic*], portioner there, 5 l. 2 s. 6 d., with 15 s. expenses; John Mein, portioner there, 10 l. 5 s., with 1 l. expenses; —— ——, 1 l. 14 s. 2 d., with 4 s. expenses; —— ——, 6 l. 16 s. 8 d., with 18 s. expenses; John Brydene, portioner there, 1 l. 14 s. 4 d., with 4 s. expenses; and James Brydene, portioner there, 8 s., with 2 s. expenses of plea. Dated Edinburgh, 18 February 1701.

Executions: 8 and 9 April 1701, by Ralph Robsone, messenger, against 'William Mertone, portioner of Galtounsyde, Thomas Wiliamsone there, Margaret

Lies, relict of Robert Frier there, Thomas Mertone, tylor, William Mein there, John Summervell there, Walter Scott there, William Hoy, gardiner there, Robert Hallywall there, Thomas Davidsone there, William Hoy, merchant there, James Boustone, Dukedube, there, James Myles, there, Isobel Boustone, widow there, James Mathesone there, William Bell, there, John Hallywall, tylor there, Thomas Thomsone there, Thomas Hallywall there, and James Leathane, Adam Darling in Westhouses, and the airs of George Patersone there, John Hittone, Tower, in Darnick, John Moodie there, Margaret White there, John Halywall there, John Ushar there, William Walker there, Nicoll Mercer there, William Mercer, Wall, there, John Drummond, elder, there, James Mercer, Pooll there, William Chisholme there, Margaret Riddell, relict of Andrew Kennedie there, the airs of James Cochrane there, Andrew Hounam there, the airs of John Hittone, Wester, there, John Ushar, weaver there, John Simpsone there, John Drummond, younger, for himself and Hugh Boustone there, William and Andrew Moss there, John Mercer there, William Mercer, Hall, there, and the whole burliamen of the said toun of Darnick, John Hounam and his tennent there, Andrew Turnbull in Bridgend, Andrew Beatie there, William Drummond there, Leonard Hounam there, Andrew Boustone his relict there, and Bernard Mercer there, William Cook in Melrose, James Ellies of Huntliewood, and Margaret Lythgow his mother, James and Michael Wallaces there, James Simpsone there, Christian Broun there, James and Alexander Maxwells there, Isobell Ellies, relict to James Edgar, elder there, John, Andrew and Robert Penmans there, James Ellies and Mungo Purves there, David and William Cooks there, and the airs of umquhill Robert Cook there, Thomas Gardiner for George Proffitts lands there, Robert Edgar, John and Andrew Mertones there, Patrick Luikup there, Alexander

Lyall there, Robert Harvie there, John Lawrie there, Thomas Drummond there, Thomas Martine there, John Gibsone there, James Lamb there, Andrew Dason there, John Karr and Walter Mabone there, Jennet Mein, relict of umquhill John Mein in Newsteid, the airs and tennents of William Sklaiter there, William Fisher there, Andrew Mein, Hill, there, for Bernard Mein and themselfes [*sic*], Robert Eliot there, Robert Mein, James his Robert there, Robert Buinzie, massone there, the airs of David Mein there, James Trotter there, Agnes Cochrane there, Agnes Mar and the airs of James Buinzie and the relict of James Mein, George Mein and the airs of George Mein, Tounhead, there, Andrew Wilsone and John Forsan, miller there, John Buinzie in Eildone, Richard Mein there, Nicoll and Richard Bowars, John Glendinning there, the airs of William Eliot there, Robert Lawrie and Robert Leathane there, Andrew Heittone in Newtoun, William Kerr there, William and Mungo Mylnes there, James Laidlaw there, the airs of Thomas Vair there, the airs of James Vair there, John Mylne, elder, there, Nicoll Cochrane there, the airs of James Mein and James Turnbull there, John Wintrop there, John Mylne, younger, there, Thomas Stenhouse there, John Riddell there, Henry Cochrane there, William Sibbald in Eildone, for William Eccles lands in Newtoun, John Pattone in Lessudene, the airs of Andrew Gibsone there, John Eistone there, William Porteouse there, the airs of David Kylle there, the airs of —— Bullman there, David Unes, tylor there, the airs of —— Learmonth there, the airs of —— Huntar, younger, there, Robert Cochrane for the lands of Mary Kerr of Fodderlie, the tennents of Mr. Patrick Reid there, the airs of Walter Gibsone there, the airs of —— Richardsone there, the airs of ——Kirk there, the airs of Thomas Pattone there, and John Brydene there, Jennet Fletcher, relict of Andrew Darling in Aple-

treeleaves, James Purvese, tennent in Dugads lands there, Mr. Andrew Darling in Langhaugh and Hugh Darling there, Aliesone Marr, relict of Robert Mercer in Calfhill, Francis Brydene in Eisterlanglie, and William Darling there, all personally apprehended; witnesses (to the execution on 8 April in Galtounsyde, Darnick, Appletreeleaves, Langhaugh, Calfhill, Eisterlanglie, Melrose, and Newstead, and on 9 April in Eildone, Newtoun and Lessudene), John Dalgleish and Thomas Fish, indwellers in Melrose. Also on 14 May 1701, at the market cross of Melrose; witnesses, Charles Blaikie and Nicol Mylne, officers in Melrose.

1702. February 12. HORNING—Walter Cairncroce of Hilslope *against* James Wallace, portioner of Melrose, for 16 l. Scots due by his Bond, 2 April 1698 to the complainer. Dated Edinburgh, 28 October 1701.

Executions:—20 January 1702, by James Blaikie, messenger, against him personally; witnesses, William Riddell, John Chisholme and John Walker, students in Melrose. 12 February 1702, at the market cross of Melrose; witnesses, William Riddell and John Chisholme, residenters in Melrose.

1703. April 24. INHIBITION—John Mein, mason in Eildone, *against* James Penman, eldest lawful son and apparent heir of Andrew Penman, portioner of Melrose, for 95 l. Scots contained in his Bond, 18 November 1699, to the complainer, with obligation to infeft him in annualrent of 5 l. 14 s. out of his two cavels, acres or parts in the Wairds in toun and territory of Melrose, in security. Dated Edinburgh, 9 February 1703.

Executions: 30 March 1703, by James Blaikie, messenger, against him personally; witnesses, James Laidlaw, lawful son of James Laidlaw, portioner of Newtoun, and James Scott, son of Thomas Scott, gardener in Melrose. Also same day, at the market crosses of Jedburgh and Melrose; witnesses (at Jedburgh), Andrew and James Tudhope, lawful sons

of James Tudhope, tylor, burgess of Jedburgh; (at Melrose) Robert Blaikie, lawful son of deceased George Blaikie, portioner of Melrose, and the said James Laidlaw.

1705. January 29.

HORNING—James Pringle of Buckholme *against* Thomas Hardie, tenant in Over Langshaw, who gave Bond, 25 August last, to satisfy the complainer for all 'breaches and faillzies of tacks' which he might claim, not exceeding 500 merks payable to the complainer or his heirs, and to pay the same before Martinmas then next, under penalty of 50 merks. Dated Edinburgh, 26 December 1704.

Executions: 10 January 1705, by James Blaikie, messenger, delivering a copy to Thomas Hardie's wife at his dwelling house of Over Langshaw; witnesses, George Drummond in Melrose, and Andrew Dasone, son of Andrew Dasone there. 29 January 1705, at the market cross of Melrose; witnesses, James Olipher and Thomas Gray, cordiners in Melrose, and Andrew and John Dasone, sons of Andrew Dasone, portioner there.

October 19.

HORNING—James Blaikie, kirk treasurer of Melrose, *against* Thomas Hardie tenant in Williamlaw, for 50 merks contained in his Bond, 6 September 1701, to the said kirk treasurer or his successors, as a penalty imposed on him for a scandal proven against him and Marion Dick his niece in the parish of Mertine. Dated Edinburgh, 22 December 1704.

Executions: 29 September 1705, by William Sheill, messenger, against Thomas Hardie, tenant in Williamlaw, now tenant in Over Langshaw, personally apprehended; witnesses, Thomas Sheill and John Dick, indwellers in Earlestoun. 6 October 1705, at the market cross of Melrose; witnesses, Thomas Luckup, officer in Melrose, and John Dasone, son of Andrew Dasone, indweller there.

October 19.

HORNING—Robert Mein, portioner of Newstead, *against* James Lythgow, fiar of Drygrange, who gave Bond,

6 August 1700, to the complainer for 115 l. 13 s. 4 d. Scots, with 10 l. of expenses. Dated Edinburgh, 18 March 1703.

Executions: 23 October 1703 by James Blaikie, messenger, against him personally; witnesses William Lowrie and William Wallace in Melrose. 24 February 1705, by the same, against him personally; witnesses, George Drummond and Thomas Gray, indwellers in Melrose. 18 October 1705, by the same, at the market cross of Melrose; witnesses, Michael Wallace, son of James Wallace, portioner of Melrose, and William Simpsone, son of James Simpsone, glover there.

1706. December 16. HORNING—James Pringle, only lawful son of George Pringle, Wester, maltman in Earlestoun, and John Sheill, maltman there, and George Pringle of Gatesyde of Galtounsyde, his curators, *against* Andrew Pringle in Drygrange Boathouse, who granted Bond, 29 June 1698, to the complainer's father for 47 l. 18 s., with 6 l. penalty; and *against* Christian Lies, widow of George Blaikie, portioner of Melrose, for 48 l. Scots, with 10 merks expenses, due by her Bond, 22 February 1701, to the same; to which bonds and sums of money the complainer has right by his father's Disposition and Assignation 30 November 1704, recorded 16 June 1705 in the regality books of Melrose. Dated Edinburgh, 9 April 1706.

Executions: 15 and 21 May 1706, by William Sheill, messenger, against both personally; witnesses, Thomas Sheill and John Dick, indwellers in Earlestoun. 16 December 1706, by James Blaikie, messenger, at the market cross of Melrose; witnesses, Thomas Steall, baker in Melrose, and William Luckup, son of Patrick Luckup, wright there.

At the end of the volume is the following:—

'At Edinburgh, the fourteine day of —— j^{m}vj^{c} threscoir two yeires: The quhilk day this register of horninges, relaxatiounes, inhibitiounes and interdictiounes contening ane hundreth fourscoir sexteine leaffis compting

fyvescoir to the hundreth the first nor last leaffis nocht being comptit was presentit to me be Thomas Wilkisoun, clerk of the regalitie of Melros, and markit on everie leaff therof conforme to the act of Parliament be me Mr. William Wallace under subscryveing, deputt marker of the saids registers to the rycht honorable Sir Archbald Prymrose of Dalmany, knycht and baronett, Clerk of his Majesties Register, Consell, and Rolls, and redelyverit to the said Thomas Wilkisoun to be keipit within the said regalitie day yeir of God and place abone writtin. W. WALLACE.'

RENTAL OF THE REGALITY,

About 1564 Michael Balfour, commendator of Melrose, prepared the following Rental of the Abbeylands, which is preserved in the Register House, Edinburgh.

'This is ane just rentall of Melrose as I Mr. Michaell Commendatour therof will testifie in sua far as I knaw extending in money fermes and teynds with uther dew service and dewiteis as efter followis :—

Money in the yeir

Blainslie	xlv. ℔. xvj s. xj d.
Threipwod	xxxij ℔.
Cummisliehill	v ℔.
Quhitlie	vj ℔. xiij s. iiij d.
Williamlaw	v ℔.
Housbyre and Eisterfuird	iij ℔. vj s. viij d.
Housbyre and Westerfuird	x ℔.
Langshaw	v ℔.
Morestoun	iij ℔. iij s. iiij d.
Reidpethe	xxj ℔.
Eildoun	xxvj ℔.
Newtoun	xxvj ℔. xiij s. iiij d.
Moxpoffill	iij ℔. vj s. viij d.
Crangills	v ℔.
Freircroft	iij ℔. vj s. viij d.
Wouplaw	iij ℔. vj s. viij d.
Apletrelevis	xxx ℔.
Freirshaw	v ℔.
Moreslaw	x ℔. vj s. viij d.

Custume of Melrose . . .	vj ℔.
Langlie	xij ℔. xiij s. iiij d.
Bukholme	x ℔.
Allaneshaws	vj ℔. xiij s. iiij d.
Lassudden	liij ℔. vj s. viij d.
The annuellis of Littill Fordell nocht waist	xxj ℔.
Eildoun Coit	x s.
The mylne of Langshaw . .	vj ℔. xiij s. iiij d.
The mylne of Newtoun . .	viij ℔.
The mylne of Newgrange . .	ij ℔.
The mylne of Hunam grange .	ij ℔.
Cartleyis	iij ℔. vj s. viij d.
The Semaisters landis . . .	iij ℔. vj s. viij d.
Calfhill	x ℔.
Halkburne	iij ℔. vj s. viij d.
Hewlabuts	xxv s.
Drygrange	xxij ℔.
The kirkland of Hassinden and Cavers	vj ℔. xiij s. iiij d.
The lands of Marse . . .	xxiij ℔.
The mailles of the lands of Eist Teviotdaill	xxvij ℔. vj s. viij d.
Lawmuirmoir	xxx ℔.
Hartsyd	xl ℔.
Tweiddaill Traquair . . .	x s.
Hairhoip	xv ℔.
Hoipcartane	iij ℔. vj s. viij d.
Kingildouris	viij ℔.
Wolfurde	ij ℔. xiij s. iiij d.
The teynds set for silver, the Apletrelevis	x ℔.
Drygrange teynds . . .	xx ℔.
Eildoun teynds	x ℔.
Calfhill teynds set to Malcolme Hoppringill	vj ℔. xiij s. iiij d.
Auld Melrose set in few to Robert Ormestoun	vj ℔. xiij s. iiij d.
The Freirs land	xxxiij s. iiij d.

Darnik Brigend and pendicles set in few to the Secretar[1] for the sowme of	lxxxxj li. xv s. xj d.
Cadeheuch	xij s.
Summa of thir precedantis being in use of payment . .	vij^{c}xx li. xix s. vj d.
Soroleisfeild	xxx s.
Cammestoun	v li.
Plewlands	v li.
Monkfald, Thessie, Farningtoun .	ij li.
Wyingis	l li.
Antounburne	x li.
Atriklands	lxvj li.
Ringwodfeild	lij li. vj s. viij d.
Rodons	xxv li.
Eskdaillmuir	j^{c}lxviij li.
The annuelrents of burghtis with Bervik	j^{c}vij li. xij s. iij d.
Blanslie beyand gevin to Hob Ormestoun be Lord James[2] .	xxvj li. xiij s. iiij d.
Summa of this last perticall nocht in use of payment .	v^{c}xix li. ij s. iij d.
Summa of the haill money precedand	xij^{c}xl li. xxj d.

The rentale of Melrose concernyng victuallis

The abbay milles set in tak for .	iiij ch. girnell meill.	Quheit.
The Vestouss myln of the auld .	ij ch[alders].	
The Newgrange	v ch.	
The Braidmedow	v b[olls].	
The Awmont perk	iiij b.	
Summa of quheit . . .	xj ch. ix b.	
The toun of Galtounsyd . .	j ch.	

[1] William Maitland of Lethington, born 1528(?), died 1573, Secretary of State 1558-1566.

[2] Lord James Steuart, born 1531, died 23rd January 1569-70. Prior of St. Andrews 1538, Earl of Moray 30th January 1561-62, Earl of Mar 7th February 1561-62, Regent of Scotland 22nd August 1567.

The Annay	iij ch. j f[irlot].
The toun of Eleistoun . . .	iij ch.
The Langmedow	j b. j f.
The Newgrange	iij ch.
The Prior[wood] gevin doun be Lord James[1] to Robert Wallace iij b[olls] be ressoune of barrennes of the grund . . .	vj b.
The Monk park	iiij b.
Summa of meill . . .	x ch. xiij b. j f.
Dainzeltoun	vj ch.
Galtunsyde	xvj ch.
Annay	iij ch. j f.
Coitmedow	iij b. ij f.
Eildoun Coit	vj b.
Quheitzaird	iij b.
Prior Wod gevin doun as of befoir for barrennes, etc. . .	iij b. vj f. v p^{t}.
Eleistoun	iij ch.
Moshouses	j ch.
Subtelleris land	v b.
Langmedo	iij b. ij f.
The Semaisters lands by Dernick, etc.	
Monkpark	iiij b.
Newsteid	x ch.
Summa of beir . . .	xl ch. xv b. j f.
Aites :	
The Moshouses, of aites . .	iij ch.
The Monksmedow . . .	ij b.
Butter of Cummslie :	
Butter. Cummslie toun and Laudopmuir .	v^{xx}v stane butter.
Salt :	
Nota, restant salt. Salt pannis of Prestoun *olim* thay payit	viij ch.

[1] See note 2, p. 135.

Cane foulis :

Cane foullis of Melrosland with Eleis toun . . . . . vj^{c}lx. Cane foullis.
cane foullis; item . . . vj^{xx} iiij capones.

Peittis :

Thraipwod . . . . xx^{xx} land of peittis. Peitis.

Cariages :

Melrosland aucht . . vj^{c}xv by lym and peitts.

The estimatioun of the teynds of the kirks pertenyng to Melrose yeirlie riddin be the maist honest men in the cuntrie and speciallie in this yeir precedand viz. thriescoir fyve yeirs :—

Item, in the first the teynds of the tua kirks of Hassinden and Cavers quhilks hes be[ne] led continuallie to the use of the place of the maist parte will extend in commoun yeirs as follows :—

Item, in aites . . . . xxx ch. Aites.
Item, in beir . . . . xij ch. Beir.
Item, in quheit and peis . . iij ch. Quheit.

The estimatioun of the teynds of Eist Teviotdaill pertenyng to the house of Melrose in the yeir foirsaid :—

Item, the teynds of Gaitshaw, Hun[am] grange, Southait [*sic*] and Denbie :—

Item, in beir . . . . j ch. Bere.
Item, in aites . . . . ij ch. viij b. Aites.

The estimatioun of the teynds of the lands of Melrose land of the yeir foirsaid :—

Item, in aites . . . . ix ch. Aites.
Item, in beir . . . . ij ch.

Memorandum, the kirks of Wester and New —— of Aitrik hes bene out of use of payment ony kynd of teynds sen Fluddoun and as yit reducit —— :

Item, the teynd woll of Melrosland as yeirlie abonewrittin gadderit be honest men extends to . viij stanes.
Item, the lambis therof this present yeir . . lx.
Item, the cheis of deid sheip extends to . . viij stane.

Item, the salmond ever [?] gadderit to the meit [?] fishe of the — nevir being under assedatioun extending to small number.

Item the yairds and houses in to the hands of the abbot and convent be custome and use.

Item, sum hay to small quantitie to the use of the place win upoun the expenses therof.

The rentall of the lands and kirks in the West Cuntrie pertenyng to the hous of Me [lrose ?].

Item, the mailles of lands of Kylsmure and Barmure extends in the yeir to	iij^{c}xxiiij li.
Item, the lands of the Monkland in Cawrik pertenyng to Melrose extends in the yeir to . .	j^{c}vij li. xiij s.
Item, the lands of the Monkland in Niddisdaill callit Dunscoir and the kirk therof extends in the yeir to	lxxxvj li. xiij s.
Summa particule . .	v^{c}xviij li. vj s. viij d.
Meill. Item, the teynds of the kirk of Uchiltrie extends in the yeir to	xxxiiij ch.
eill Item, the teynds of the kirk of Mauchling extends in the yeir to	xxxiiij ch.
The sowme of the haill silver in use of payment as alse not in use of payment, extends in the haill to . . .	j^{m}vij^{c} lviij li.
The sowme of quheit . .	xiiij ch. ix b.
The sowme of beir . .	lvj ch. v b. j f.
The sowme of meill . .	lxxviij ch. xiij b j f.
The sowme of aites . .	xliiij ch. x b.
The sowme of capones .	j^{c}iiij ;
therof out of use of payment	lxxxiiij.
The sowme of pultrie . .	vj^{c}xx.
The sowme of butyre . .	v^{xx} v stane.
The sowme of salt . .	viij ch., all out of use of payment.

The sowme of peitis . . iij^{c}xl laid.
The sowme of cariagis . v^{c}.

Memorandum of thir foirsaids sowmes of victuall alsweill as of money, to be deducit and defalkit as efter followis :—

Item, in the first to xj religious monkis and thre portionares seculares, as William Ormestoun, James Shaw, Patrik Hardy, extending yeirlie in money ilk persoun as they have had lang be assignatioun to xx merks, the haill sowme ix^{xx} vj ℔. xiij s. iiij d.

Item, to ilk persoun of the saids xiiij persounes, j ch[alder] beir, cuntre met, as the Lords decreit therupoun proportis, extending in the haill in girnell met to xvij ch. iij b. ij. f. iij p^{c} [pecks] or therby.

Item, to ilk ane of the saids persounes iiij b. quheit, cuntre met, extending in the haill in girnall met to four chalder xiiij b. ij f. ij p^{c} or therby, with tua chalder meill to the monks.

Item, to be deducit of thir premises be assignatioun maid to the Lord Seytoun the haill mailles of Kylismure, Barmure, the lands of Carrik and Niddisdaill, extending to v^{c}xviij ℔. vj s. viij d.

Togidder with the teynd meill of the kirks of Mauchling and Ouchiltrie, extending to lxviij ch. meill, and that in contentatioun of ane pensioun grantit to the Lord Seytoun and his barnes of xvj^{c} merks.

Item, to be defalkit and deducit v ch. quheit, iij ch. meill, gevin in pensioun to the Erle of Glencarne and his sone and tane up fra the Laird of Bass of the lands of Grange.

Item, to be defalkit and deducit of the teynds of —— and Cavers, albeit they be riddin and nocht in use of payment, lands of Ringwodfeild and uthers adjacent upon viij ch. aites be ressoun of devastatioun of the ——.

Item, the officers feis . . . . xx ℔.

Summa of silver defaikit extends [to] vij^{c}xx [℔.]
Summa of meill defakit extend [to] lx [ch ?].

Summa of the quheit defalkit extends to . . . . xiiij b. ij f.
Summa of beir defaikit . xvij ch iij b. iij f. iij peccis

Item, defaikit of butyre to the monks, ilk persoun thrie stane.

And sua restis *de claro* to be deducit betuix the thrid and the tua part in silver . . . j^{m} xxxiij li. viij s. v d.
And heirof not in use of payment the sowme of . . . v^{c}xix li. ij s. iij d.
Sua restis in use of payment . v^{c}xiiij li. vj s. ij d.
Item, restis to be devydit of the quheit . . . . . iiij ch. x b. j f.
Sua restis to be devydit of beir . xxxix ch. j b. ij f.
Sua restis to be deducit of meill . v ch. xiij b.
Sua restis to be deducit of aites . xxxvj ch. x b.

The divisioun of this rentall of the Abbay of Melrose:—

Summa of the money . . $j^{m}vj^{c}l$xxxxvij li. xj s. v d.
3 therof . . . . $v^{c}l$xv li. xvij s. j d. 2 p^{t}. d.
Summa of the salt . . . iij ch.
3 therof . . . . . j ch.
Summa of butter . . . l stanes.
3 therof . . . . . xvj stanes 2 p^{t} stane
Summa of the peitis . . . iij^{c}xl laids.
3 therof . . . . . j^{c}xiij laid 3 p^{t} laid.
Summa of cayne foullis . . $iij^{c}l$xxx.
Thrid therof . . . . . j^{c}xxvj foullis.
Summa of capones . . . xxiiij.
3 therof . . . . . viij.

The rentale of the Abacie of Melrose pertenyng presentlie to the Abbot by the lands of Kyllismure Barmure Niddisdaill Carrik and kirks pertenyng therto and alse by the ferms of Lamermure quhilk my Lord of Glencarnes brother hes in pensioun presentlie

The lands of Blainslie . . . xlv li. xviij s.
Moreistoun . . . . . iij li. iij s. iiij d.
Langshaw, mylne therof, and Ester syd of Housbyre . . . xviij li.

Halkburnam	iij ℔. vj s. viij d.
Bukholme	x ℔.
Apletrelevis	xxx li.
Wester Raik and Housbyre . .	x ℔.
Langlie	xij ℔. xiij s. iiij d.
Freircroft	iij ℔. vj s. viij d.
Meirbank, Sowretcroft, Cartleyis, and Newfuirdhaugh . .	xvij ℔. vj s. viij d.
Drygrange	xxij ℔.
Reidpethe	xxj ℔. xiij s. iiij d.
The annuells and custume of Littill Fordaill	xxxvj ℔.
Newtoun mylne	viij ℔.
Auld Melrose	vj ℔. xiij s. iiij d.
Eildoun	xxvj ℔.
Lessudden	lvj ℔.
Murehouslaw	xij ℔. vj s. viij d.
Newsteid wyth the pendicles .	iiij^{xx} v ℔. xvj s.
Ladopemure the nather syd . .	xviij ℔. vj s. viij d.
Wairds of Melrose	xl s.
Coulmesliehill	v ℔.
Calfhill	x℔. or xxx votheris[?]
Maxpoppill	iij ℔. vj s. viij d.
Cambestoun and Plewland . .	x ℔.
Alenshawis	vj ℔. xiij s. iiij d.
Vowplaw	iij ℔. vj s. viij d.
Threipwode	xxxij ℔.
Quhitlie	vj ℔. xiij s. iiij d.
Williamlaw	vj ℔. xiij s. iiij d.
Williamelaw	v ℔.
Sorrowlesfeild	xxx s.
Newtoun	xxvj ℔. xiij s. iiij d.
Freirshaw	v ℔.
Cringlis	v ℔.
Monkfauld	xl s.
Kirkland of Hassinden and Cavers	vj ℔. xiij s. iiij d.
Seymaisterlands	xiij ℔. vj s. viij d.
Newgrange mylne in Lamermure .	xl s.
Galtonsyd with the pendicles .	j^{c}xix ℔. xix s. iiij d.

Seymaisterlands	iiij ℔.
Anay	xliij ℔. vj s.
Buklawis	xvj s.
Walkercroft	xx s.
Pryorwod	viij ℔. xij s.
Moshouses	xviij ℔. xiij s.
Ves[t]hous mylne . . .	xij ℔.
Fisheing of Tueid . . .	vj ℔. xiij s. iiij d.
Abbay mylnes	xlviij ℔.
Dernik	iiij^{xx} xj ℔.
Danieltoun	xl ℔.
——	xxxvij ℔. xiij s.
Summa of the haill mailles of the barronie of Melrose .	j^{m}xxiiij ℔. xvj s. viij d.

The lands of Est Teviotdaill :—

Gaitshaw	vj ℔. xiij s. iiij d.
Hownomgrange	x ℔.
Elestoun Coit [or Cliftoncoat] .	vj ℔. xiij s. iiij d.
Sowthcoit [*sic*]	iiij ℔.
Antonburne	x ℔.
Hownoumgrange mylne . .	xl s.

Summa, xxxix ℔. vj s. viij d.

The lands of Ugginnis :—

Falset	v ℔.
Trone	v ℔.
Coklaw	vij ℔. x s.
Emershaw [or Evingshaw] . .	vij ℔. x s.
Breithchnes or [Bresmeis] . .	v ℔.
Sourhope	v ℔.
Fasschaw or [Radshaw] . .	x ℔.
Copitrig	v ℔.
Summa	l ℔.

The lands of the Merse :—

The four lands of Hassintoun Manes, Harlaw, Clerkland, and Pittellseuch	xviij ℔.
Summa patet . . .	xviij ℔.

The lands of Lamermure :—

Hertsyd	xl ℔.
Preistlaw, Pansheills, Kingsyd, Freirdyks and Wintersheildykip [?dykis]	xxx ℔.
Summa	lxx ℔.

The lands of Tueddaill :—

Hairhoip	xv ℔.
Hopcarten	iij ℔. vj s. viij d.
Kingildors	viij ℔.
Wolfclyd	lvj s. j d.
Summa	xxix ℔. ij s. ix d.

The lands of Atrik :—

Glenkeyrie	iiij ℔.
Migehoipe	vj ℔. xiij s. iiij d.
Atrikhous	vj ℔. xiij s. iiij d.
Schorthope	v ℔.
Fairhope	vj ℔. xiij s. iiij d.
Kirkhope	v ℔.
Elspyhoipe	vj ℔. xiij s. iiij d.
Scabecleuch	iij ℔. vj s. viij d.
Craig	ij ℔.
Ramsecleuch	vj ℔. xiij s. iiij d.
Thirlistane	vj ℔. xiij s. iiij d.
Langhope	vj ℔. xiij s. iiij d.
Summa	lxvj ℔.

The lands of Ringwodfeild :—

The Burgey [?]	iiij ℔.
Stobecoit	vj ℔.
Ringwodhauch	v ℔.
Bowandhill	v ℔.
Grange	iiij ℔.
Preisthauch	v ℔.
Pennangushoip	v ℔.
Woisterrie	v ℔.
Northous	v ℔.

Sowdenrig	v li.
Cauldcleuch	iij li. vj s. viij d.
Summa	lij li. vj s. viij d.

The lands of Esdaillmure :—

Tulloquhair	vj li. xiij s. iiij d.
Crury	v li. vj s. viij d.
Yetbyre	vj li. xiij s. iiij d.
Newbyre	xx li.
Kirkfauld	iij li. vj s. viij d.
Cristelhill	iiij li. vj s. viij d.
Blakscoit	vj li. xiij s. iiij d.
Powdono	iij li. vj s. viij d.
Powmunk	iiij li. x s.
Powcleis	iij li. vj s. viij d.
Glendarge	vj li. xiij s. iiij d.
Cassope	v li.
Fynglen	v li.
Awirlosk	v li.
Mydlawheid	v li.
Raburne	x li.
Hairwod	x li.
Midleburne	iij li. vj s. viij d.
Tymmerhill	v li.
Jonstoun	v li.
Walterrocat	vj li. xiij s. iiij d.
Treshawhill	iij li. vj s. viij d.
Walterrocat grange	x li.
Garvaldhous	vj li. xiij s. iiij d.
Crukitheuch	v li.
Dumfermling	iij li. vj s. viij d.
Cubeneburne	iij li. vj s. viij d.
The kirkland of Vatstirker	iij li. vj s. viij d.
Summa	j^{c}iij^{xx} iiij li. xvj s. viij d.
Summa patet	xxxiij li. vj s. viij d.

Burrow Annuells :—

St. Jonstoun	iij li.
Edinburgh	xxix li.

Hadingtoun	xx s.
Selkirk	xl s.
Peiblis	viij s.
Jedburgh	iiij s.
Summa	xxxv li. xij s.

The teynds set in assedatioun :—

Item, the teyndshaves of Blainslie .	xxvj li. xiij s. iiij d.
The teyndshaves of Apletrelevis, Meirbank, Soutercroft, Cartleyis, and Norfurdhauch .	xiij li. vj s. viij d.
Item, teyndshaves of Calfhill .	vj li.
Item, the teyndshaves of Eildoun .	x li.
The haill teynds of Atrik . .	vj li. xiij s. iiij d.
The haill teynds of Coulmesliehill .	vj li. xiij s. iiij d.
The haill teynds of Vouplaw .	xxx s.
The haill teynds of Langlie . .	x li.
The haill teynds of Colmeslie .	vj li. xiij s. iiij d.
The teynds of Drygrange . .	xx li.
Summa	j^{c}vij li. x s.
Item, the teynds underwrittin, viz. Blakholme, Quhitlie, Villiamlaw, Halkburne Langshaw, Wousbyre, Alenshawis, Auld Melros, akers of Littill Fordaill, Vairds of Melros, Gaitshaw, Denbray, Hunoumgrange, and Southcoit	xl li. — Set in tak to the Laird of Lochlevin.
The teynds of Hassanden and Cavers refers to the tak quhilk is not producit as yit . . .	j^{c} merks. — Set to the Laird of Buccleuch.

Salt :—

Item, the four salt panes of Prestoun	iij ch. salt.
Summa patet . . .	iij ch[alders].

Butter :—

Item, the Oversyd of Coulmeslie payis	l stanes butter.
Summa patet.	

Peitis :—

Thraipwod . . . . . iij^{c}xl laidis.

Kayn foullis :—

Item, the cayne foullis . . . iij^{c}iiij ^{xx}.

Capones :—

Item, the capones . . . xxiiij.

Summa of the haill rentale of Melrose in silver j^{m}vj^{c}lxxxxvij ℔. xj s. vd.

Quhairof thair is gevin furth in pensiounes,

Item, first to aucht monks portiounes yeirlie for ther pensiounes . ij^{c}vij ℔. xvj s.

Item, to Mr. James Lauder in pensioun . . . . . iiij^{xx} xj ℔.

Item, to James Shaw . . . xvj ℔.

Item, ane pensioun tane up be William Ormestoun, quherof ther is na surtie as yit sene.

Alexander Hayis pensioun . . xxxiij ℔. vj s. viij d.

Summa of the pensiounes to be deducit of the rentale . . . xl d.

to . . . . . iij^{c}xlvij ℔. viij s.

And sua ther restis of the rentale the sax pensiounes being deducit extends to . . . . j^{m}iij^{c}l ℔. iij s.

The thrid quherof will extend to iiij^{c}l ℔. 13 d. and half d.

REX.

Collectour generall, your depuites and clerks, It is our will with avyse and consent of our richt traist cousing James, Erle of Mortoun, Lord Dalkeyth, Regent to our realme and legis, and we ordane yow efter the sicht heirof to ressave fra our traist counsalour Alexander, Commendator of Culross, tradintour and administratour to James, Commendator of Melrose, ane rentale of the said Abacie of Melrose as the samin presentlie extendis to, and assume ane thrid therof, for the quhilk ye sall charge onlie in tymes

cuming, begynand your entrie to the yeir and crope lxxviij nixtocum, and keip thir presents to your warrand. Subscryvit be our said richt traist cousing and regent, at Haly ruidhous, the last day of Januar the yeir of God j^{m}v^{c}lxxvij yeris.

Sic subscribitur, JAMES, Regent.

Berwyke.

Rentale de Dryburght.
The kirks set for victuallis.

Kirk Lessudden : The toun of

Lessuden—	iij. chalders viij bolls meill
	ij chalders beir.
	viij bolls quheit.
Elistoun—	j ch. meill, viij b. beir.
The Newtoun—	ij ch. aites.

THE EARL OF HADDINGTON'S MANUSCRIPTS

REGISTRUM MELROSENSE de certis cartis aliisque evidentiis per reverendum dominum Jacobum Commendatarium monasterii de Melrose et ejusdem loci conventum concessis incipiendo A.D. 1555.

(*Translation*)

Register of Melrose of certain charters and other evidents granted by the Reverend Lord James, Commendator of the Monastery of Melrose and the convent of that place beginning A.D. 1555.

'The Rentall grantit and gyffin be my lord Commendatar of Kelso and Melrose to the tennentis of Newtoun within Melroseland and desyrit to be regestrate.

'We Lord James, be the permissioun of God Commendatar of the abbayis of Kelso and Melrose be the tenour heirof admittis enteris and ressavis as lauchfull tennentis thir personis underwrittin in and to all and hale the landis within specifyit lyand in Newtoun within the lordschip of Melroseland, that is to say, Robert Clerk in ane quarter land, Will Thurbrand in ane husband land, David Gaustoun in half land, Thome Lethane in thre half landis, Thome Myldis in ane husband land, Jonet Johnestoun in thre quarteris land, Yssabell Robsone in half a land, Robert Johnestoun in ane quarter land, Jok Lethem in ane husband land and ane quarter land, Jonet Lethane in ane quarter land, Thome Johnestoun in ane husband land, Thome Stannouse in ane husband land, Alexander Couchren in half a land, Besse Myldis in ane quarter land, Sande Andersoun in half a land, Joke Hetoun in half land, James Vair in ane husband land, Thome Vair in half land, Jok Andersoun in ane land; the forsaid personis payand to

us and our successouris all yeirlie dewitey and dew service usit and wount to our place forsaid. In witness of the quhilk thing we have subscrivit this present with our hand, our sele of office is affixt, at Melrose the xxvj day of November in the yeir of God j^{m}v^{c} fyfty and four yeris. (*Subscriptio*) James Commendatour of Kelso and Melrose. *Sigillum officii appenditur impressum cera rubea et alba circumdatum. Ita est Radulphus Hudsoun monachus et registri custos manu sua signet.*' (f. 1.)

Similar Rental for the tenants of 'the onsettis yairdis boundis and landis with the pertinentis respective [under]-writtin lyand within our toun and territorie of Dernwyk, lordschip of Melrosland and sherefdome of Roxburgh,' viz. 'Johnne Fischer, sone to umquhile Patrik Fischer in Dernwyk, in and to thre onsettis ane yairde and tuentie akeris of land pertening to his said umquhyle fader; the said Johnne Fischer in and to four akeris of land coft be him [fra] Henry Symsoun; the said Johnne Fischer in and to tua akeris of land lyand in the Awna pertening to his said umquhile fader; William Leys in and to aucht akeris of land quhairintill he is rentelit be my lord Commendatar forsaid of befor, with onset pertening to the samyn; the said William in and to thre akeris of land coft fra Matho Fischer; Robert [. . .[1]] in and to ane onset and ten akeris of land; Andro Hetoun in and to ane onset and four akeris of land pertening [to his] fader Dicke Hetoun; Thomas Myldis in and to ane onset and tua akeris of land pertening to umquhyle Robert [. . .]; Patrik Merser in and to sax akeris of land; Robert Kennedy in and to tua akeris of land coft fra Matho Fischer; T[homas ?] Fischer in and to four akeris of land coft fra Henry Symsoun; Johne Ramsay in and to tua akeris of land coft [fra] Matho Fischer'; to be held by them for their lifetimes for payment to the convent of Melrose of the 'fermis careges cayne foulis with utheris dewiteis and dew servicis' used and wont conform to the rental of the abbey of Melrose. Dated at Melrose, 5th June 155[7?]. Signed by

[1] Edge frayed.

James, Commendator of Kelso and Melrose. (Notary's subscription frayed away.) (f. 1.)

'Secundo Februarii anno Domini 1556. Dominus Thomas Mersar, supprior Melrosensis, and divers brether, viz. Den William Filp, Den Jhone Hougart, Den Jhone Watsoun, senior, Johannes Watsoun, junior, Den Alexander Bellenden, Thomas Hallewell, James Ramsay, David Hoppringill, bursarius, the said supprior producit befor my lord James, Commendatar of Kelso and Melrose, and his Lordis auditour admittit upoun his coumptis of the said Abbay of Melrose, viz. Robert Carmichell of ——, David Stewart, persoun of Easkirk, Mr. William Schaw, provest of Abirnethy, Mr. Walter Balfour, persoun of Lintoun, Den William Wilsoun, channone of Driburgh and chalmerlane of Kelso, and Andro Hog, chalmerlane of Melrose, being all present, the saidis Lordis Commendataris letters of assignatioun gewin and grantit be the said commendatar to the said supprior and convent of Melrose in dew forme under the saidis Lordis sele of office and his manuale subscription and under the common sele of the cheptour of the said abbay of Melrose and als under the sele of office and subscription manuale of ane reverend fader Gaulter, Abbot of Glenluce, and Commissar Generale of the ordour of Cisteax, deput be the Abbot therof and generall chaptour; and quhair the said reverend Lord Commendatar wald nocht allow in the coumptis certen proffectis pertening to the said supprior and convent without reall production of the said letters of assignatioun, the samyn being sychtit be the said Lord and auditour and admittit in all poyntis conform to the samyn and efter the tenour and effect therof; therfor the said supprior and convent presentlie protestit that na tymis cuming the saidis letters of assignation nocht heirefter to be producit befor the said Lord Commendatar, bot the samyn because of the trubule [?] of the Bourdour to be put in suyr keping quhair the sadis supprior and brether thinkis expedient, and presentlie the said supprior and convent requyrit my Lord Commendatar to fulfill all thingis contenit in the sadis letters of assigna-

tion, and offerit presentlie the copy of the saidis letters of assignation to the said Lord Commendatar, and protestit gyf my Lord forsaid inlakkit of ony thing of his promiss and obligation contenyt in the sadis letters of assignation for remedy of law. *Super quibus dictus supprior Melrosensis peciit a me Domino Radulpho Hudsoun, monacho ejusdem monasterii et notario ordinis instrumentum seu instrumenta. Acta erant hec infra cubiculum Domini Commendatarii hora tertia post meridiem vel ea circa die et anno quo supra, coram hiis testibus, Johanne Weyr, chamerario de Lesmahagho, Henrico Kynlocht, cum diversis aliis, et dictus supprior instantore supplicavit dictas litteras assignationis in forma redigi.'* (f. 2.)

'xxiiij° Aprilis anno Domini 1557, Andro Hog, chalmerlane of Melrose, procuratour specialie institute procuratour be the tenour of ane commissioun subscrivit be my Lord Commendatar of Kelso and Melrose and be the convent of Melrose and under the common sele of the cheptour of Melrose in dew form, *cujus commissionis tenor sequitur et est talis* [blank left here]: be the vertew of the quhilk commissioun the said Andro Hog chalmerlane past to the principall mansion of Cowmesle and maid lauchfull warning to Marioun Hoppringill of the samyn being present and to Robert Carnecorce hir sone nocht being personlie apprehendit, to cum to the abbay kirk of Melrose the v day of June nixt to cum betuix the sone rysing and the sone ganging, to and upoun the hie altar of the samyn kirk, to ressave viij^c li and utheris sowmis of money conteinit in ane reversion under dew forme for redeming of the landis of Langlie and Wolhousbyir, the West Raik, and did all uther thingis conform to the commissioun forsaid and efter the tenour therof, befor thir witness, Thomas Robisoun, Thomas M'Clane, James Hoy. *Super quibus dictus Andreas peciit instrumentum a me Domino Radulpho Hudsoun, notario ordinis Cisterciensis et hoc ob defectum alterius notarii publici. Acta erant hec apud portam principalis messuagii de Cowmeslie hora[m] circiter sextam post meridiem die mense et anno prefatis indictione.*

'*Item,* the samyn day tym and place the [said] Marioun Hoppringill of Cowmeslie requyrit at the said Andro Hog ane copy of the commissioun he representit, allegeand hir be law to have the samyn, and the said Andro on that uther part allegit he belewit law requyrit nocht the copy of sik commissionis, and gyf that he aucht of the law to delyver the samyn within xxiiij houris therefter it suld be delyverit, and in the meyne tyme delyverit the said commissioun to George Carnecorse the said Marioun sone to reid and considder the samyn. *Super quibus* the said Marioun and Andro *hinc inde pecierunt instrumenta, die hora anno loco et testibus suprascriptis. Ita est Radulphus Hudsoun manu sua signat.*' (f. 2.)

'xiiij° Junii 1557. Personaliter constituti Dominus Thomas Mersar, s[upprior], Johannes Hogart, Ra[dulphus] Hudson, Thomas Meyn, Johannes Fourhouse, Bernardus Boustoun, Alexander Bellenden, Thomas Hallewell, Johannes Watson, senior, Jacobus Ramsay, Jacobus Arbothenet, et Johannes Watson, junior, necnon Andreas Hog, chamerarius Melrosensis, the said Andro at the command of the said supprior and convent exponit the case how that instant day in the morning Bertill Derling in the West house come to the said supprior and convent and to the said Andro, and hevelie lamentit the grete wiolence done to him and his moder, ane ald woman, within their awin house and tenement be William Ormestoun callit pensionar of ane portion in Melrose, quha com and brak up thair duris the nycht afor at —— houris of the nycht and strake the said Bertill with ane grete tre and brak the samyn upoun the said Bertill, and strake his moder, and in the meyn tyme as the said Bertill alleget drew ane quhynzer to the said Bertill and schorit to steyk him without that he payt the male of the feemaisteris land to him, and therefter reft ane ox fra the said Bertill; and therefter how the said William Ormestoun come to Dicke Heton cart and tuk the said Dicke [his] horse: Upoun the quhilkis injuris violence and displesouris done to the grete displesour of God, contemptioun of the auctorite of

my Lord convent thair baillie and chalmerlane, the said supprior and convent and chalmerlane hewelie weying the samyn and willing to put remedy therto according to the statutis of the regalite of the Lordschip of Melroseland and gud ordouring, therfor causit presentlie to call the said William Ormestoun, quha comperit personalie, and presentlye the said supprior convent and chalmerlane gaif express command and charge to Thome Davidsoun, barroun serjand, als being present upoun my Lord Commendatar and thair baillies to charge the said William to find souerte and lauborris that the said Bertill, Dicke Hetoun and utheris the occupyaris of the Feemaisteris landis, and all utheris tenentis of this lordschip, be skatheles in thair body and guddis, and siclyk that the said William redelyver the saidis ox and horse reft be him, and fra thyne furth to desist and ceise fra ony ferther taking poynding and perturbacion of the saidis tennentis guddis within the said lordschip, and that quhill my Lordis [cuming ?], under the pane of tynsell casing annulling revoking of all portioun pensioun and all uther thing the said William hes of the said Lord and convent, and the said officer to assigne the xij hour at none of the samyn day to the said William to fulfill the samyn; quhilk charge the said Thomas Davidsoun execut presentlie and charget the said William to do in all thingis as is afor expremit under the pane forsaid, in name of my Lord forsaid, convent, chalmerlane; and quhair the said William alleget him to have commissioun of my Lord to poynd for the said Feemaisteris landis, and requyrit to produce the samyn, quha refusit the productioun thairof. *Super quibus omnibus et singulis* the said supprior in presence of the said convent and chalmerlane requyrit ane instrument at me notar of the ordour underwrittin. *Acta erant hec die mense anno et indictione et pontificatu quibus supra, infra ecclesiam Melrosensem ex boreali parte ejusdem juxta insulam Divi Benedicti hora octava ante merediem aut eo circa,* befor thir witness, Sir Thomas Crystesoun, persoun of Lintoun, George Hog in Fauchhill, Robert Boustoun, Joke Clement, with utheris divers,

Thome Robisoun. *Ita est Radulphus Hudsoun monachus et notarius ordinis manu sua signat.*' (f. 3.)

'xvj° Junii 1557.' *Personaliter constitutus Dominus Thomas Mersar*, supprior of Melrose, and Andro Hog, chalmerlane, requyret at Thome Davidsoun, barroun serjand, gyff William Ormestoun, pensionar of Melrose, had fulfillit the charge gewin to him be the said Thomas as tuiching the contentis of the instrument immediatlie afor expremit and tuiching every part and clause thairof respective, the said Thomas Davidsoun maid fayth that the said William Ormestoun nother be him selff nor nane interponit persoun find na maner of souerte to him conform to the charge befor rehersit nor of na pairt thairof, that come to his knawlege; thairfor the said supprior protestit in name and behalff of my Lord Commendatar convent for annulling revoking discharging . . . of the said William Ormestoun pensioun portioun chalmer yairdis and utheris proffettis quhatsumever [quhilk] he hes of the said Commendatar and convent, for his wilfull disobedience to thame in . . . [be]halff according to justice, and presentlie the said supprior . . . instrument to be extendit *in uberiori forma* and for all remeid of law in nane. . . . [Com]mendatar and convent be all wayis as may be providit of the law or be the actis of the regalite of Melrose. *Super quibus dictus Dominus Thomas Mersar supprior peciit a me Domino Radulfo Hudsoun notario ordinis publicum instrumentum seu instrumenta. Acta erant hec infra chameram dicti Domini Radulphi hora octava post meridiem aut eo circa die anno mense quibus supra, presentibus ibidem Domino Andrea Wrycht, Willelmo Lorymer, burgensi de Edinburgh, Andrea Linlythqo, Roberto Couchren, Thoma Moss cum diversis aliis testibus. Radulphus Hudsoun manu sua signat.*' (f. 3.)

'The xviij day of Junii 1557, *indictione pontificatu*, etc. *Personaliter constitutus Johannes Bell* in Mauchlyn as lauchfull procuratour for Jhone Reid younger maid resignatioun of ix s. vj d. land, viz. v s. land in Nether Wod and iiij s. vj. d. land in Eschaw burne, quhairof the

said Johne Reid obtenit infeftment afor in my lord James, Commendataris of Melrose, hand, in the favouris of Jhone Bell younger and William Bell his bruther, bathe sounis to Thome Bell in Ballochmyle, conform to ane procuratorie contenit within this leif at the margent thairof, befor thir witness, Mr. Walter Balfour, persoun of Lintoun, James Loch, burgess of Leythe, James Macklane, maister cuyk to my Lord Commendatar, Joke Symount, with utheris divers. *Radulphus Hudsoun manu sua signat.*' (f. 3.)

'*xxj*° *Augusti anno Domini m*°*v*°*lvij*° *personaliter constitutus* Den Thomas Mersar, supprior of Melrose, in presence of the eldering brether of the said abbay, viz. Dene William Philp, Jhone Hogart, Thomas Meyne, Johne Watsoun, Alexander Bellenden, Johne Fourhouse, Bernard Boustoun, and befor me, notar of the ordour of Cisteous, exponit the case how that that ilk day at x houris my Lord James, Commendatare of that ilk abbay of Melrose, in presence of the said supprior and certane of the brether being present had requyrit him and the convent to sele and subscrive ane chertour of few of xij s. vj d. land in Over Katryne within thair lordschip of Kylismuir to Adam Aird, tennent thairof, and the said supprior ansuerit as he allegit to the said lord Commendatare that thair was ane appoyntment betuix the said Lord and convent at the first consenting to the fewis of Kylismur grantit of the date, viz. *xx*° *Februarii anno Domini m*°*v*° *quinto* [*sic*], be the quhilk appoyntment my lord Commendatar forsaid was oblist be his sele and subscriptioun to have delyverit to the reparatioun of the said abbay v^{c} merkis of the reddiest and first pament of the said compositioun silver, and siclyk iij^{c} merkis of the teyndis of Hassynden, and na pairt of the said sowms as yit delyverit, and for that cause and uther ressonabill causes and specialie for unfullfilling of certane poyntis and articlis be my Lord forsaid for wele of the said abbay, the convent culd nocht condissend to subscrive and sele the said Adam Aird chertour nor na uther chertour quhill my Lordis obligatioun tuiching the pament of the said sowmis of money and fulfilling of the

saidis articlis conform to the tenouris thairof, and specialie towart the redemyng of the proffitabill landis wodset be the said Commendatar; and efter the said ansuer gewin to [*sic*] the said supprior as he alleges, my Lord Commendatar forsaid as apperit be his wult and exteriour mowing of his body grew crawbit, and said gyf the conwent wald nocht consent to subscriwe the said Adam Aird chertour and utheris the chertouris of Kylismur, nocht ellis past the selis, he wald discharge the fermeraris and utheris tenentis of the lordschip to ansuer thame of thair assignatioun of pensioun assignit to thame for thair lewing and sustentatioun: And because the said supprior alleges he ferit throcht dreddour of the said Commendatar to tak ane instrument heirupoun in the said Commendatare presence, thairfor presentlie affeirmis in name and behalf of the convent present, thai consentand alsua thairto, that to quhatsumever thing thai consentit that instant day towart the seling and subscriving of the said Adam Aird chertour or any utheris evidence or chertouris quhill the tyme my lord Commendatar forsaid had fulfillit all poyntis of his obligatioun, and specialie towart the delyverance of the saidis sowmes of money to the reparatioun of the place, and siclyk the abbay landis to be redemit, and all uther poyntis of the said Commendataris obligatioun to be realie fulfillit, suld nocht be of thair gud will bot throcht compulsioun and throcht feyr and dredour of the said conventis lewing to be discharget and tane fra thame be the said Commendatar conform to his minatorious wordis schawin in presence of the convent as said [is]; and the said supprior and convent protestis thairfor that the said convent consent heirefter ony tym gewin to ony few or ewident be nocht prejudiciall to the profet of the said abbay, bot for tym and place to be revokit cassit and annullit siclyk as thai nor nane of thame had nocht subscrivit nor gewin of the commoun sele thairto. And mairattour the said supprior and convent allegeing and weyng hevelie the tribulous tym of weir now laitlie risin and thairfor as thai allege standis sa schairp to thame that allbeit thai wald be intendit to persew ordour of justice

aganis thair Commendatar thair is na oportune tym to be gottin presentlie, and the office of generall commissar vacand be the deceis of Glenluce, and all uther ressonis ferther to be colleckit and requirit be the said supprior and convent, this present instrument to be extendit ferther tuiching thir premissis *in uberiori forma* in his and in name and behalff of the hale convent of the said abbay, and protestis for remeid of law. *Super quibus omnibus et singulis dictus supprior in presencia dictorum fratrum peciit a me notario ordinis subscripto unum seu plura instrumentum seu instrumenta. Acta erant hec infra ecclesiam Melrosensem et infra insulam Divi Benedicti hora undecima ante meridiem, et hoc immediate post decessum dicti Domini Commendatarii de ecclesia, presentibus eciam ibidem Domino Andrea Wrycht capellano dominicali, Johanne Bate et Nyniano Myldis, cum diversis aliis testibus vocatis pariter et rogatis. Radulphus Hudsoun manu sua signat.*' (f. 3.)

'xiij° Novembris 1557, personaliter constitutus etc. Dominus Thomas Hallewell ex sua benevolencia fideliter promisit ut subveniret edificationi ostii australis ecclesie Melrosensis de sua bursa per deliberationem xx c. magistro operis ejusdem quamprimum hoc idem opus inceptum fuerit infra annum a dato presentis instrumenti: Super quo Dominus Johannes Watsoun, junior, peciit instrumentum, apud Melrose infra cubiculum Domini Radulfi Hudsoun infra infirmatorium coram hiis testibus, dicto Domino Radulpho et Georgeo Weir et diversis aliis testibus. Radulphus Hudsoun manu sua signat.' (f. 4.)

(*Translation*)

1557, Nov. 13, personally compeared Sir Thomas Hallewell and faithfully promised out of his benevolence to contribute towards the building of the south door of the church of Melrose by paying out of his purse to the master of work 20 c. as soon as this work was begun, within a year from the date of the present instrument; whereupon Sir John Watsoun, younger, asked instrument, at Melrose in the bedchamber of Sir Ralph Hudsoun, within the

infirmary, in presence of the said Sir Ralph, George Weir, and others. Ralph Hudsoun subscribes with his hand.

'Indictione et pontificatu, etc. Secundo Aprilis anno Domini 1558 Dene Johne Watsoun, supprior of Melrose, in presence of the convent thairof being present, seand Mr. Walter Balfour, persoun of Lintoun, Michell Cheshelm, alleget baillie deput of the regalite of Melrose, with thair cumpany and complicis turweand the leid of thair closter and causand to cast doune the samyn extending to xj stane of leid or thairby, at thair plesour, and spulzeing thair dedicate place of sic profitable thing, and reiffand the samyn, for the quhilk cause the said subprior for him and in name and behalf of the said convent cryand Spulze and reif, and mycht nocht resist be power, and thairfor protestit that the said Mr. Walter, Michell Chesholm and thair complicis suld stand under the cherge of spulze and reif thairof according to justice, and utherwayis protestit for remeid of law; quhilk was done within the grete closter of Melrose at xij houris of the day or thairby, being present Thomas Huntar in the Hawkburne, Johne Mow of that Ilk younger, Thome Davidsoun, barroun serjand of the regalite of Melrose, with utheris divers. *Super quo dictus D. Johannes Watsoun, prior* [sic], *in presencia conventus a me peciit instrumentum. Radulphus notarius ordinis manu sua signat.*'[1] (f. 4.)

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[1] The following decree against Walter Scott of Branxholme is a further instance of the spoliation of the Abbey.

'Anent the summondis raisit at the instance of James commendater of the abbay of Melros convent thairof and Alexander commendater of Culros coadiutor and administratour to him for his interes Aganis Walter Scott of Branxholme knycht quhom aganis the actioun vnderwrittin is intentit allanerlie for thair wranguis violent and masterfull casting doun demolitioun and tyrving be him self his servandis and complices in his naim of his causing command assistance and ratihabitioun of the principale abbay and kirk of Melros situate within the lordschip of Melros and schirefdome of Roxburgh alsweill inner kirk queir vter kirk and stepill and croce kirk of the samin And for the wranguis spoliatioun detening avaytaking withhalding and disponing of the stanis tymmer leid irne and glas of the said kirk and stepill thairof extending to diuers greit quantiteis and prices in the monethis of Januar Februar Marche and Aprile the zeir of God j^{m}v^{c}lxix zeiris and diuers dayis thairefter the said haill kirk than pertening to the said abbay as ane propir and principale part of the samin biggit edificat and dedicat to the said abbay abbot or commendater or convent of the

'ix Aprilis anno Domini 1558. We, Dene Raulphe Hudsone, prior of Melrose, in presence of the convent of Melrose being present, viz. Dene Johne Watsoun, supprior, Dene William Filp, guarden, Dene Thomas Meyn, Dene Bernard Boston, Dene Johne Hogart, Thomas Hallewell, Dene James Ramsay, James Arbothenot, Johne Watson, younger, George Weyr, and in presence of the parroschin of Melrose convenit for gud service the samyn day, viz. upoun Paische ewin, exponit the case how that he and the

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samin and thair vse And thairthrow than pertening to the saidis commendater and convent thai being than in possession thairof be making of prayaris and vsing of devyn seruice thairintill past memoir of man as the propir and principale kirk of the said abbay And for the wranguis violent and masterfull breking vp be thaim selfis thair servandis and complices of thair causing as said is of the durris of ane hous of the said place callit the platforme *alias* abbotishall and tua inner chalmeris within the samyne all the saidis housis being theikit with leid and breking vp of the durris of ane hous callit the west loftis entering thairin spoliatioun avaytaking detening withhalding hewing doun and disponing of the stanis tymmer leid irne glas insycht of the saidis housis chalmeris and yard of the said abbay than pertening to the said commendater and convent as ane part of the patrimony of the said place as said is extending to greit quantiteis and prices as at mair lenth is contenit in the said summondis actis and lettres maid thairupoun of befor The said commendater convent and coadiutor comperand be master Alexander Syme thair procuratour And the said Walter Scott of Branxholme knycht comperand be master Thomas Westoune his procuratour THE LORDIS of counsale continowis the said mater in the samin forme force and effect as it is now but preiudice of party vnto the xviij day of Maij nixt tocum with continowatioun of dayis And ordanis the said commendater convent and coadiutor to haif lettres to summond the witnes that was summondit of befor and comperit nocht to be summondit vnder gretar panis And may witnes gif thai ples for preving of the punctis of the said summondis aganis the said day nochtwithstanding the haill defences proponit be the said schir Walter and his procuratouris in the contrair And als to haif lettres chargeing the said schir Walter Scott of Branxholm knycht To compeir personalie befor the saidis lordis the day forsaid To gif his ayth *de calumpnia* vpoun the punctis of the said summondis with certificatioun to him and he falye thairin he salbe haldin *pro confesso* and ane decreit gevin aganis him according to the desire of the principale summondis raisit in the said mater And als ordanis the depositiounis of the witnes now takin in the said mater to be closit quhill the samin day And the parteis comperand as said is ar warnit herof *apud acta*.'—*Acts and Decreets of the Court of Session*, vol. xlviii. fol. 423, 24 April 1573.

'The quhilk day master Thomas Westoune procuratour for Walter Scot of Branxholm knycht ansuerand to the summondis of allegit spuilze intentit and persewit at the instance of James commendater of the abay of Melros and conuent thairof and Allexander commendater of Culros coadiutor and adminis-

said convent had direckit ane precept to warne Robert Boustoun, Matho Hanna, George Downatson and certane utheris occupyaris of certane our yairdis houses and service of knaifschip of our abbay myllnis, and that [the] said Matho violentlie raef the samyn precept furth of our handis within the gret kirk of Melrose at xj houris or thairby, quhilkis was clerlie prewit in presence of the auditour, and for the quhilk cause of violence be the auctorite of the kirk the said Matho was denuncit cursit and thairefter quhare Walter Chesholm of that Ilk alle-

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trator to him for his entres aganis the said schir Walter anent the allegt spoliatioun of certane leid tymmer and stanis as the summondis raisit thairvpoun beiris Allegeit that the quantitie of the leid and tymmer and stanis intrometit with in the said schir Walteris tyme be quhatsumeuir persone or personis nor grantand the pryces libellit is iij^{m} stanis leid quhill was sauld to the personis efter following towit to Johnne Michelhill James Scott Johnne Minto burges of Selkirk George Wilson in Newsteid Deame Issobell Ker lady Cesfurd Johnne Wemis burges of Edinburgh and vtheris within the boundis of Teveotdaill for vj s. viij d. the stane with cartane peces of tymmer extending to the valor of lvij l. xiij s. iiij d. and iij^{xx} pece of stane to be dure and windo at xviij d. the pece as the abottis seruandis successiue and chalmerlanis sauld the samin in tymes bygane denyand aluterlie ony farther intromissioun of ony thing contenit in the saidis pretendit libellit summondis And the said Walter intrometand thairwith commit na spuilze in safar as the said Walter being bailye of heritage of the said abacy seing at the tyme libellit the army of Ingland enterit within the boundis of Teveotdaill birnand and distroyand and demolisand the said Walteris haill rowmeis and heritage and being determinatlie purposit to pas to the said abay and to tak doun the leid foirsaid and to birne and distroy the haill lordschip for preseruation thairof cartane the said Walteris seruandis being thairfoir for the tyme tuk doun the samin and for fear of away taking be the said army sauld the samin in maner foirsaid Quhilk the said Walter is content to restore agane to the said abay for repairing thairof or the pryces abon writtin And in respect thairof the persewar persewand at his awin instance can nocht be hard to desyre the samin to be restorit to hym to be apropriat to his awin vse as is libellit it being commoun to the conuent alsweill and haill parrochinnaris as to the abbot the samin being of thais thingis that are *infra ceptra* [sic] *monasterij* vnder protestatioun for absoluitour of the rest incais na forther intromissioun be previn Quhilk allegeance being sene and considerit be the lordis of counsale with the ansuer maid thairto be master Allexander Sym procurator for the said commendater and convent and his coadiutor foirsaid And the saidis lordis thairwith being replie aduisit The saidis lordis be sentence interloquitor repellis the said allegeance And nochtwithstanding the samin ordanis the said master Thomas procurator foirsaid to ansuer forder in the said mater vpoun the gevin of the quhilk interloquitor master Allexander Sym procurator for the said commendater and convent and coadiutor foirsaid askit instruments.'—*Id.* fol. 429 *verso.* 18th May 1573.

geand him baillie deput tuyk defense with the said Matho and requyrit the said precept fra him, quhilk he grantit befor the said auditour, and efter the denunciatioun of cursing imput to the said Matho for the said violence he remanit in the kirk with fortificatioun of the said Walter Chesholm, alleget baille deput, and thairthrocht be lang tym stopit God service and the parroschin to be servit of thair dewite and ministratioun of the sacrament; and als the said Walter Chesholm said gyf ony man or officer execute ony siclyk precept at the said prior and brether command he suld stuw his luggis; and quhair the said Walter Chesholm grantit the ressate of the said precept fra the said Matho, and being requyrit be us Dene Ralphe in our name and the said convent for delyverance of the samyn he wald nocht delyver it, upon the quhilkis we Dene Ralphe forsaid protestit for injuris within our said kirk and place, and remedy of law. *Super quibus dictus D. Johannes Watsoun supprior peciit instrumentum a me Domino Radulpho notario ordinis. Acta erant hec infra ecclesiam principalem Melrosensem die anno ut supra, coram hiis testibus, Thoma Hunter, Andrea Hog, Johanne Ramsay, Roberto Wallace ad portam, Thoma Boustoun, cum diversis aliis. Radulphus manu sua signat.*' (f. 4.)

'Conventus Melrosensis.—Primo Novembris 1558 personlie comperand befor Dene Jhone Watsoun, supprior of Melrose, and certane of the eldering brether of the said abbay, viz. William Filp, Jhon Hogart, Dene Ralf Hudsone, Bernard Bouston, David Hoppringill, Johne Fourhouse, Johne Leirmount, sone and air to umquhyle George Lermont of that Ilk, and Elizabeth Nesbethe, moder to the said George, allegeand hir present at the said George latter will now latlie decesit, quhair that he maist effectuuslie requeistit hir to cum to the convent of Melrose and to solist for ane absolutioun to him for the wrangous occupying of the said conventis commoun pastur upoun the west part of Leder, and assistence done be him [to the Laird of Coldenknowis *deleted*] in the wrangous occupying of the said pasture divers yeris bypast,

and in case that the said George happynnit to deceise or the said absolutioun war obtenit that nochtwithstanding the power thairof suld be execute upoun his graiffe, as the said Elezabeth his moder wald ansuer to God. The quhilk petitioun the said convent for the wele of the saule of the said George admittand and grantand thairto, allwayis protestand that it be nocht prejudiciall nor hurt to the action of spulze and oppressioun committit be the said George, bot that the abbottis or commendatouris and convent may have actionis to persew the samyn acording to justice for recompensation upon the said Georges airis uther ways as law will. *Super quibus dictus D. Johannes Watson, supprior, peciit a me Domino Radulpho Hudson, monacho Melrosense et notario ordinis, ob defectum alterius notarii publici. Acta erant hec infra ecclesiam Melrosensem ante altare Divi Benedicti situatum in parte boreali ejusdem ecclesie horam circiter xj ante merediem anno indictione et pontificatu etc. coram hiis testibus, Domino Thoma Cristesone, rectore de Yettem et pro tempore camer[ar]io de Calco, Thoma Boustoun seniore in Galtensyd, Niniano Davidson, cum diversis aliis. Radulphus manu sua signat.*'

(f. 4.)

'Melros.—Vigesimo quinto Januarii anno Domini m°v^c quingentesimo octavo, Dominus Johannes Watsoun, supprior de Melrose, Willelmus Filp, Johannes Hoggart, Thomas Meyn, Alexander Bellenden, David Hoppringill, Johannes Forous, Bernardus Boustoun, Jacobus Ramsay, Jacobus Arbothenet, Georgeus Weir, ibidem presentes, the said supprior exponit the caise in presens of me notar of the ordour underwrittin, that quhair upoun the Sonday viz. xxij° Januarii last bypast at William Ormeston instance letters be decrete of lordis[?] wes execut summonand the iconimus of the said abbay of Melrose and convent thairof to compeir befor the Lordis the — of — in the yeir forsaid to heir and se letters of four formis to be gewin be decrete of the Lordis for ansuering of ane monkis portioun conform to ane evident hes obtenit of my Lord James, umquhyle Commendatar of

the said abbay, and convent thairòf, for all the dayis of the said William lyftyme, and siclyke tua summoundis rasit direckit be certane jugeis delegat summoning the said iconimus and convent to Edinburgh the iiij day of Februar nixt following to heir and see the evidentis of certane landis within the boundis of Hessintoun and Hessintoun [toun] grantit be the said umquhille Commendatour and convent to Robin Diksoun in the Mains and Jhone Cosar in Hassintoun toun; and presentlie the said supprior and allegeand the saidis summoundis war be cuming newlie to thair eiris, thairfor in name and behalff of the said iconimus and thame selffis presentlie be the tenour of this present instrument appelis fra all sentence judiciall or spirituale or temporale juges or ony maner of decretis or determinations to be gewin be tham ony maner of way *ad sedem apostolicam* to be persewit be lauchfull process, protestand all wayis that na thing be done heirefter that may stand prejudiciall to the said iconimus and convent and thair successouris; with command to extend this instrument *in uberiori forma.* And ferther protestis for remede of law, because the said supprior [? prior] and convent ar nocht providit of ane ourman. *Acta erant hec* within the wax cellar situate upoun the northe part of the kirk of Melrose *hora x^a ante meridiem aut eo circa, presentibus ibidem Magistro Hewgone Dowglas, rectore de Sowdoun, et chamerario dicti monasterii de Melrose, Matheo Hanna, Johanne Bate et Willelmo Wallace, cum diversis aliis.*

RADULPHUS.' (f. 5.)

'Decimo Februarii anno Domini 1558 in mei Radulphi et testium viz. Alexandri Bellenden et Johannis Fourhouse monachorum de Melrose presentia

'Personaliter constitutus Patrik Yester ane prost[1] monk of Balmerinacht exponit and schew the caise how be chance he had committit slauchter of — Bane within the said abbay, and for releif of his conscience and obtening of ane absolutioun he was presentlie to depart to Cisteax and to Rome gyff neid war, and thairfor dowting

[1] Professed.

of his returning in Scotland bot at the plesour of God; and quhair that Dene Jhone Yester his bruther germane, profest mounk of the said abbay of Balmerinacht, was accusit be the convent thairof that he suld be airt and pairt or counsall gyffer to the said Patrik to commit the said slachter, the said Patrik takand upoun him befor the hie Juge now at his departing furth of the realm *et tactis sacris ewangeliis* that the said Dene Jhone gyf newer reid persuasioun nor counsall thairto nor had ony airt or pairt way or witteing thairof be word or deid sing or takin thairto. *Super quibus omnibus et singulis dictus Johannes Yester ibidem presens peciit a me ordinis notario publicum instrumentum. Acta erant hec apud Melrose prope altare Divi Benedicti infra ecclesiam collegiatam Melrosensem anno die indictione ut supra*, and ferther to be extendit *in uberiori forma. Radulphus manu sua signat.*' (f. 5.)

[There are here several blank folios in the manuscript.]

'Forsamekill quhair my Lord Commendatour of the abbayis of Kelso and Melrose and the convent of the said abbay of Melrose hes ordanit to be consingnit in my Maister Jhone Ballentyne of Auchnoule handis the sowme of tua thowsand viij hundreth thretty thre lib. vj s. viij d. usuale money for redemyng of the landis of Wolhowsbyr, Langlie, the fermes of Newgrange and Elesoun, and of teyndis Langshaw, and als samekill money as may by gudis necessar for plennesing of the saidis landis of Langlie and Wolhousbyr of the compositioun silver of Kylismur, as at mair lenth is contenit in my saidis Lordis Commendatouris letters; thairfor howsone the saidis sowmis of money be deliverit to me or to Duncane Foster, my sarvand, in my name, I obliss me be the tennour heirof to do all diligence that be ordour of justice the saidis landis fermis and teyndis salbe lauchfullie redemit, and siclike sall cause necessar gudis for plenesing of the said stedingis of Wolhousbyr and Langlie efter thar redemptioun be coft and put thairupone, and that the saidis sowmes of money sall nocht be spendit in na uther use bot onelie apone the redemyng of the saidis landis fermis teyndis and plennesing of the landis forsaid,

and siclike sall cause all uther thingis to be fulfillit and keipit as I have writtin and promest to the said convent of Melrose be this my writting, subscrivit with my hand at Edinburgh the nynte day of December in the yere of j^{m}v^{c}lvj yeiris. (Signed) BALLENDEN.' (f. 9.)

'Maisters, Efter maist hertlie commendatioun of sarvice, Pleise yow to wit that I haif at lenth commonit with Den Rau[lph] and Den Jhone anent the efferis concernyng my Lord and yow, and namelie, anent the fulfilling of the pay[ment] that my Lord hes omittit, quhairintill I sall do na less nor your speciall friend and sarvand aucht to do for to cause yow to be maid sure of all thingis that owthair belangis to your selfis or to the will of your place; and in speciall I sall cause deliver the v^{c} merkis to the reparatioun of the place as is contenit in the obligatioun, together with the lx libs. to the convent, and I sall cause the precept to be gifin be my Lord to his chalmerlanis for ansuering of the iij^{c} merkis conforme to your assignatioun, and sall procur betuix this and Candilmes nixttocum the ordanaris letters for the malis of Lessidden, Cryngillis and Freirschaw, and the iij^{c} merkis of Hassenden, apone the quhilkis ordinaris letteris sall procur letters under four formes and the Quenis confirmatioun upone your assignatioun; and is [*l* as] for the apperaling of your office houssis the expensis thairof to be tane of the radiest of the v^{c} merkis now presentlie, quhilk salbe allowit be my [*sic*] and presentlie salbe deliverit to you xx merkis togidder with ane pot and ane pan for neidfull thingis to your kechen and hall. And trewlie, maisters, thair is na thing I may do bot I salbe willing to bring it to ane gud pass baith be pischence and consall, as knawis God, quha mot presarve yow. Of Edinburgh the fyft day of December. Your sarvitour at his power, the Justice Clerk.—Upone the bak:—To his maisters the Supprior and convent of Melrose.' (f. 9.)

'We James, be the permissioun of God, Commendatar of the Abbayis of Kelso and Melrose, and convent of the said abbay of Melrose cheptourlie gadderit, all with ane awise

consent and assent, understanding that we for the utiliti and proffet of our said abbay [and] augmentatioun of oure rentale thairof have set and in fewferme lattin to oure tennentis [of] oure landis and lordschip of Kylismure al and sindrie the samyn landis and lordschip pertenyng to thame particularlie in rentall of befoir, as the infeftmentis respective maid and gevin to thame thairupone mair fullelie proportis, and because diverse the tennentis of oure saidis landis and lordschip hes obtenit sindre infeftmentis of diverse pairtis of the samyn quhilkis ar nocht hable to pay at the entre of thair air thairto ane sesing ox to us or our baillies for gevin of sesing to thame of the samyn, we cheptourlie gaddarit as said is, willing that oure saidis tennentis be nocht extremelie hurt throch taking of the saidis sesing oxin, promittis bindis and oblissis us faithfullie that quhenever ony of oure saidis tennentis deceissis and thair airis obtenis preceptis of us or [our] sucessouris for gevin of sesing to thame of the landis pertening to thair predecessouris [in] fewferme, that we oure successouris nor baillies sall tak fra thame ony maner of sesing oxin for the gevin of the sesing, bot alanerlie the sowme undirwrittin to be payit be thame thairfoir in maner following, that is to say, fra every tennent havand ane markisworth of oure saidis landis or mair nor ane markis worth thairof in few the sowme of tuenty schillingis for the said sesing ox, and fra everilkane of thame havand less nor ane markis worth thairof ane yeris male contenit in thair infeftment to be payit for the said ox, and thai nor thair aris sall be na maner of way in tyme cuming be halding to pay to us or oure successouris ony for ther ox or dewtie thairfor nor the sowmes particulare abone exprimit. And heirto we promit bind and obliss us our baillies and successouris to our saidis tennentis and thair aris in maner abone certifiit. In witness of the quhilk thing to thir presentis subscrivit with oure handis the commoun sele of the cheptour of oure said abbay is hungin, the samyn abbay the —— day of —— the yeir of [God] j^{m}v^{c}lvj yeiris.' (f. 10.)

'Ob predicationem publicandum infra diocesin Glasguensem.

'Jacobus miseratione divina Glasguensis Archiepiscopus, decano nostro christianitatis de Tevedalia, necnon universis et singulis aliis presbyteris curatis et noncuratis Glasguensis diocesis, salutem cum benedictione divina. Quia alias per statuta nostra synodalia infra nostram ecclesiam metropolitanam Glasguensem jam ultime edita secundum declarationem consilii provincialis prelatorum hujus regni decretum exstitit ut frequentioribus Dei verbis et predicationibus instruatur populus ecclesiarum rectores et si abbates priores commendatarii administratores prepositi portionarii ecclesiarum et quicunque presunt ecclesiis quibuscunque monasteriis mensis episcopalibus capitulis et collegiatis unitis et annexis curam animarum habentes existant qui judicio dicti domini Reverendissimi ad predicandum fidei rudimenta suis parochianis habiles et idonei censebuntur predicent. Eis autem qui juvenes sunt et inidonei ad predicationis munus debite exequendum per nos injungitur ut sese ad hoc quamprimum reddant per studia in gymnasiis publicis habiles, et interim per alios predicatores suis sumptibus per nos examinandos et admittendos predicare et suas vices supplere faciant in omnibus donec de alio oportuno juris remedio provisum fuerit. Et ad illud munus ut dictum est obeundum singuli tales rectores predicatores conducant et cum ipsis conveniant et nobis representent ante diem primum mensis Augusti proxime; grandevi autem et qui annum quinquagesimum excesserint, nec a nobis ad verbi Dei predicationem idonei reperiuntur hoc ipsum similiter per alios fieri procurent, quibus etiam assistant ut eorum propria presentia predicantibus ipsis majorem honorem tribuant, sub pena amissionis quarte partis fructuum suorum beneficiorum per nos levandorum et percipiendorum et in pios usus applicandorum pro prima vice. Et nec ipsi suprascripti rectores et alii ecclesiastici nostri diocesani hujusmodi nostra statuta ignorare seu ad eorum noticias minime devenere sese excusaverint, quocirca vobis et vestrum cuilibet in virtute sante obedientie, et sub pena

suspensionis a divinis, districte precipimus et mandamus quatenus moneatis seu alter vestrum desuper requisitus moneat legitime primo secundo tertio unico tamen contextu pro triplici edicto et peremptorie omnes et singulos rectores abbates priores commendatarios administratores prepositos et alios quoscunque qui quibuscunque ecclesiis monasteriis mensis episcopalibus capitulis et collegiatis unitis preesse censentur infra nostram diocesim Glasguensem et vestrum decanatum in generale necnon et in speciale, quos nos etiam tenore presentium monemus, ut infra hinc et diem primum mensis Augusti jam proxime premissa omnia et singula perimpleant cum effectu sub pena amissionis quarte partis fructuorum [*sic*] suorum beneficiorum ut predicitur; quoquidem primo die mensis Augusti proxime lapso et premissa perimplere minime curaverint et monitionibus hujusmodi nostris non paruerint ac etiam dictis concionatoribus minime conductis ac nobis minime presentatis, nos quartam partem fructuum omnium suorum beneficiorum levabimus et percipiemus illius ecclesie cui de predicatione minime provisum fuerit, quos partim ad sustentationem predicatorum applicabimus et partim in alios pios usus distribuemus et disponemus juxta tenorem concilii provincialis supradicti; et presentes debite executas et idem latori reddatis. Datum sub nostro sigillo rotundo et subscriptione nostri scribe subscripti apud civitatem Glasguensem die xix° mensis Aprilis anno Domini millesimo quingentesimo quinquagesimo nono, et nostre consecrationis viij°.' (f. 28.)

(*Translation*)

Edict anent preaching within the diocese of Glasgow.

James, by the mercy of God Archbishop of Glasgow, to our rural dean of Teviotdale, and to all and sundry other priests with and without cure in the diocese of Glasgow, greeting with the divine blessing. Whereas by our synodal statutes lately issued within our cathedral church of Glasgow, in accordance with the resolution of the provincial council of the prelates of this realm, it hath

been decreed, in order that the people might be instructed by means of more frequent preaching of God's Word, that the rectors of the churches, whether they be abbots, priors, commendators, administrators, provosts, portioners of kirks, and those in charge of kirks united and annexed to monasteries, bishops' tables, chapters and collegiate foundations, having the cure of souls, who in the opinion of the said most reverend Lord shall be considered able and fit to expound the rudiments of the faith to their parishioners, shall preach: It is therefore enjoined by us to those who are young, and unfit to duly discharge the function of preaching, that they render themselves able, as soon as may be, for this service by studies in the public schools, and meanwhile that they maintain at their own expense other preachers, to be by us examined and admitted, to preach and supply their places in all respects until some other convenient remedy has by law been provided. And in order that that service may be carried into effect, all such rectors shall engage preachers and come to terms with them and present them to us before the first day of August ensuing; but the aged men and such as exceed their fiftieth year, unless they shall be by us found fit for preaching the Word of God, shall obtain this service to be done for them by others, whom they shall assist so that by their personal presence they may confer greater honour upon their preaching, under pain of forfeiting the fourth part of the fruits of their benefices, to be uplifted by us and applied to pious uses, for the first offence. And lest the abovewritten rectors and others our diocesan clergy should plead ignorance or absence of notification, therefore we strictly ordain and command you and each of you, in token of holy obedience and under pain of suspension from divine ordinances, that ye or either of you thereto required lawfully warn by three intimations, all of the same tenor, and peremptorily charge all and sundry rectors, abbots, priors, commendators, administrators, provosts and others whomsoever who may be considered to have charge of kirks united to monasteries, bishops' tables, chapters and collegiate foundations within

our diocese of Glasgow in general and your deanery in particular, whom we also by the tenor of these presents warn, that between this and the first day of August now approaching they effectively fulfil all and sundry the premises, under pain of forfeiting the fourth part of the fruits of their benefices as aforesaid; which first day of August having passed, and they having taken no care to perform the premises and given no obedience to our warnings, and neither engaged the said preachers nor presented them to us, we shall uplift and intromit with the fourth part of the fruits of all their rents from that church for which they have provided no preaching, which we shall apply partly for maintenance of preachers and partly shall distribute and dispone for other pious uses conform to the mind of the foresaid provincial council; and these presents ye shall return to the bearer duly executed. Given under our round seal and subscribed by our secretary at the city of Glasgow on the nineteenth day of April in the year of the Lord one thousand five hundred and fifty nine, and eighth year of our consecration.

'Quod vicarii et rectores rationem ineant cum suis parochianis ante tempus quadrigesimale.

'Jacobus miseratione divina Glasguensis Archiepiscopus decano nostre christianitatis de Tevidalia necnon universis et singulis aliis presbyteris curatis et non curatis infra hanc provinciam Glasguensem ubilibet constitutis et super presentium executione debite requisitis, salutem cum benedictione divina. Quia nostris statutis synodalibus jam ultime edictis juxta eciam declarationem concilii provincialis prelatorum hujus regni decrevimus ut omnes et singuli vicarii ecclesiarum nostre diocesis prout singulis eorum incumbit cum suis parochianis paulo ante Quadragesimam in mense Februario pro debitis hujusmodi minutis sive personalibus mixtis aliisque oblationibus ecclesiis debitis rationem ineant, et ad hunc effectum litteras nostras monitoriales super ipsis parochianis in forma debita levent et impetrent et executioni demandari curent ut circa Paschale solempnium populus christianitatis

liberius orationi vacet idemque sacramentum audientiori pietatis affectu divino favore percipiet nec quicquam a ministris sacramentorum ante ejusdem administrationem exigatur pro ejusdem administratione sed tantum ab eis recipiatur qui post hujusmodi administrationem conferre voluerint, et nec ipsi vicarii infra nostram diocesim Glasguensem consistentes nostra statuta hujusmodi ignorare seu ad eorum noticias minime devenire sese excusaverint, vobis igitur et vestrum cuilibet in virtute sancte obedientie et sub pena suspensionis a divinis stricte precipimus et mandamus quatenus moneatis seu alter vestrum desuper requisitus moneat legitime primo secundo tertio unico tamen contextu pro triplici edicto et peremptorie omnes et singulos vicarios tam pensionarios portionarios quam perpetuos nostre Glasguensis diocesis infra vestram dicanatum vicarias seu beneficia obtinentes quos nos eciam tenore presentium monemus quatenus ab hinc et in futurum hanc nostram constitutionem perimpleant et conservent sub penis in hujusmodi nostris statutis contentis in ipsos vicarios necligentes et contravenientes irremissabiliter per nos infligendis; et presentes debite executas earumdem latori reddatis. Datum sub nostro sigillo rotundo et subscriptione manuali nostri scribe, apud civitatem Glasguensem die xix° mensis Aprilis anno Domini etc. quinquagesimo nono et nostre consecrationis anno octavo.' (f. 28.)

(*Translation*)

That vicars and rectors shall settle accounts with their parishioners before Lent.

James, by the mercy of God, Archbishop of Glasgow, to our rural dean of Teviotdale, and all and sundry other priests with and without cure wheresoever situated within this province of Glasgow and duly charged to fulfil the premises, greeting with the divine blessing. Whereas by our synodal statutes recently promulgated, in terms of the enactment of the provincial council of the prelates of this realm, we have decreed that all and sundry vicars of the churches of our diocese, so far as to each pertains, shall

reckon with their parishioners a little before Lent, in the month of February, for small and personal dues and other mixed offerings owing to the churches, and for this effect shall in due form obtain and issue our monitory letters against their parishioners and see them duly executed, so that during the solemnity of Easter the people of the deanery may have freer opportunity for prayer and may receive the sacrament by the divine blessing with a more ardent spirit of devotion, and that nothing be exacted by the ministers of the sacraments prior to the celebration thereof for their administration, but that may only be accepted by them after the celebration which the people are willing to give; and lest the said vicars residing within our diocese of Glasgow make excuse to ignore these our statutes or plead want of notification, therefore we strictly command and ordain you and each of you, in token of holy obedience and under pain of suspension from divine ordinances, that ye or whichever of you is thereto required forthwith lawfully warn by three proclamations of uniform tenor and peremptorily charge all and sundry vicars, both pensioners, portioners and perpetual vicars of our diocese of Glasgow obtaining vicarages or benefices within your deanery, whom we also by the tenor of these presents warn, that henceforth and in time coming they fulfil and observe this our ordinance, under the pains contained in our said statutes to be inflicted by us without remission upon those vicars neglecting and contravening; and that ye return these presents duly executed to the bearer of them. Given under our round seal and the subscription of our secretary, at Glasgow, 19th April 1559, and eighth year of our consecration.

'Ut religiosi mittantur ad literarum studia.

'Jacobus miseratione divina,' etc. 'Quia alias per statuta concilii provincialis,' etc., 'ut ex monasteriis uniuscunque hujus regni diocesis juxta ipsorum monasteriorum facultates transmittantur duo aut unus religiosi vel religiosus ad literarum capacitatem habiles et ingeniosi, moribus et vita maxime spectati, ad universitates eis

proximas vel alias ut eorundem superioribus libuerit gratia studii; ibidem saltem ad quadriennium in theologia in ipsis collegiis ordini et norme collegiali subditi remansuri, quo spacio completo remittantur similiter alii religiosi ex eisdem locis pari modo literis vacaturi, et religiosos sic mittendos singuli abbates priores et commendatarii exhibeant et presentent ipsis ordinariis locorum infra hinc et primum diem mensis Augusti proxime: Quocirca vobis et vestrum cuilibet' (etc. to *peremptorie*) 'reverendos patres ac dominos commendatarios Melrossen. et Jedburgh infra vestrum diacanatum consistentes quos nos etiam tenore presentium expresse monemus ut infra hinc et primum diem mensis Augusti proxime duos viros religiosos ex monasterio Melrosensi et unum virum religiosum de monasterio de Jedburgh ad literarum capacitatem habiles et ingeniosos moribus et vita maxime spectatos gratia studii ad universitates eis proximas mittant secundum formam et traditionem statutorum hujusmodi concilii provincialis sub penis in hujusmodi statutis irremissabiliter levandis; et presentes debite executas earundem reddatis latori. Datum' (etc. as the last). (f. 29.)

(*Translation*)

That monks be put to the study of letters.[1]

James, by the mercy of God, etc.—Whereas by the statutes of the provincial Council, etc. it has been decreed

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[1] As an example of a dispensation to a monk of Melrose to study, we quote the following:—

Indult to Andrew Badly, monk of Melrose, to study canon law for seven years: 5th February 1379-80.

XLI. Reg. Aven., 224, fol. 393.

De ca [mera] H. de Hareñ.

A. Dilecto filio Andree Badly monacho monasterii de Melross Cisterciensis ordinis Glasguensis diocesis, salutem, etc. Religionis zelus vite ac morum honestas aliaque probitatis et virtutum merita super quibus apud nos fidedigno commendaris testimonio nos inducunt ut personam tuam favore apostolico prosequamur. Cum itaque sicut exhibita nobis nuper pro parte tua peticio continebat tu scientiarum allectus amore juris canonici studio ut equum ab iniquo et licitum ab illicito discernere valeas cupias immorari nos hujusmodi tuum in hac parte propositum in Domino commendantes ac volentes illam tibi

that from the monasteries of each diocese of this realm according to their capacity there shall be sent two monks or one, able and apt for instruction in letters, fully upright in life and manners, to the universities nearest to them or to others as seems good to their superiors, for the purpose of study, there to remain for four years taking a course in theology, subject to the order and law of the college; at the completion of which time other monks shall be sent out of the same to take their places, similarly to be perfected in letters; and all abbots, priors and commendators shall exhibit and present the monks so sent up to their ordinaries between this and the first day of August ap-

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gratiam per quam id liberius excœqui valeas favorabiliter impartiri tuis supplicacionibus inclinati ut studio insistere valeas antedicto usque ad septennium a data presencium computandum ac jura hujusmodi canonica audire licite valeas felicis recordacionis Benedicti Pape XII. predecessoris nostri et quibuscumque aliis constitucionibus apostolicis necnon statutis et consuetudinibus ac diffinicionibus et ordinacionibus monasterii et ordinis predictorum contrariis juramento confirmatione apostolica vel quacumque firmitate alia roboratis nequaquam obstantibus auctoritate apostolica tenore presentium indulgemus. Nulli ergo, etc. nostre concessionis et voluntatis infringere, etc. Datum Avinione nonas Februarii anno secundo.

[Vatican Transcripts, in General Register House, Edinburgh, vol. i. fol. 181.]

(*Translation*)

To our beloved son Andrew Badly, monk of the monastery of Melrose of the Cistercian order, in the diocese of Glasgow, greeting, etc. The zeal for religion, integrity of life and manners, and other qualities of probity and virtue for which you have been commended to us upon trustworthy evidence, induce us to honour your person with the apostolic favour. Therefore when a petition lately exhibited to us on your behalf bears that you, actuated by a love for learning, desire to devote some time to the study of canon law, to the effect that you may be able to discern right from wrong, and that which is lawful from that which is unlawful, we commending this your purpose in the Lord, and wishing to offer you such opportunity as will enable you freely to fulfil your desire, do by the tenor of these presents by apostolic authority grant indulgence that you may pursue the foresaid study for seven years, reckoning from the date of these presents, and may lawfully learn of those canon laws of our predecessor Pope Benedict the Twelfth of happy memory, and whatsoever other apostolic constitutions, with the statutes, customs, rules, and ordinances of the foresaid monastery and monastic order, notwithstanding any oath, apostolic confirmation, or other bond binding you to the contrary. Let no one therefore, etc., to infringe our will and grant, etc. Given at Avignon, 5th February, second year (of our Pontificate).

For a further example see also Vatican Transcripts, vol. ii. fol. 323.

proaching: Wherefore we ordain you and each of you, etc., to charge the reverend fathers and lords commendators of Melrose and Jedburgh being in your deanery, whom we also by the tenor of these presents expressly warn, that between this and the first day of August next they send two religious men from the monastery of Melrose and one religious man from the monastery of Jedburgh, able and apt for instruction in letters and notably exemplary in life and manners, to be taught at the universities nearest to them, conform to the form and import of the statutes of the said provincial Council, under the penalties contained in the said statutes, to be inexorably exacted; and that ye return these presents duly executed to the bearer thereof. Given, etc. (as in previous writ).

'Ut episcopi visitent suas dioceses per se aut fidedignos commissarios.

'Jacobus miseratione divina Glasguensis Archiepiscopus decano nostro,' etc., 'statutum fuit quod ordinarii per seipsos aut eorum fidedignos commissarios visitent singula monasteria etiam exemptorum infra suas dioceses secundum formam Concilii Tridentini et de singulis que corrigenda sunt inquirant et corrigant, ac curent ut sufficiens numerus religiosorum in illis sustentetur secundum facultates et redditus loci, et ut honeste tractentur in victu et vestitu quin etiam aliis vite necessariis, et ut loca diruta et dilapsa reparentur, et ipsi ordinarii diligenter predictum statutum exequantur prout decet bonos pastores vitam mores devotionem et studia religiosorum reformare et ad primevum ejus religionis reducere statum que inibi ut devotio vigeat et populi murmur divitetur. Vobis igitur et vestrum cuilibet in virtute sancte obedientie et sub pena suspensionis a divinorum celebratione districte precipiendo mandamus quatenus moneatis,' etc., 'peremptorie reverendum patrem Andream Commendatarium de Jedburght et etiam venerabilem virum Magistrum Robertum Richartsoun iconomum loci et monasterii de Melrose nostre Glasguensis diocesis et infra vestrum diacanatum Tevidalia consistentes, quos nos etiam tenore presentium

monemus ut infra hinc et proximum festum Santi Petri ad Vincula sufficientem numerum religiosorum in hujus modi locis secundum illorum facultates respective sustentent, ac etiam eosdem religiosos in victu et vestitu quin etiam aliis vite necessariis tractent, et eorum loca diruta et dilapsa reparent in singulis suis reparamentis congruentibus sub pena excommunicationis; quoquidem festo Sancti Petri ad Vincula elapso et ipsi suprascripti monitionibus hujusmodi nostris non paruerint, eosdem omnibus dominicis festivis et aliis infra missarum solempnia publice et solempniter excommunicatos denunciatis, a dicta denunciatione non cessanda donec ad gremium sancte Matris ecclesie recurrere voluerint et beneficium absolutionis in forma ecclesie meruerint obtinere; et presentes debite executas earundem reddite latori. Datum,' etc., as before. (f. 29.)

(*Translation*)

That bishops visit their dioceses in person or by trustworthy commissaries.

James, by the mercy of God, Archbishop of Glasgow, to our dean, etc. Whereas it was appointed that ordinaries in person or their trustworthy commissaries shall visit every monastery even of exempts within their dioceses, in accordance with the decrees of the Council of Trent, and make inquiry concerning matters to be corrected, and rectify them, and have a care that a sufficient number of religious be maintained in those monasteries agreeable to the advantages and rents of the place, and be competently provided with food and clothing and other necessaries of life, and that ruined and dilapidated places be repaired, and that the ordinaries themselves shall diligently adhere to the foresaid ordinance as behoves good shepherds, for reforming the life, manners, piety, and learning of the monks and restoring the pristine purity of their religion, that piety may flourish and the clamour of the people be silenced: Therefore we strictly ordain and command you and each of you, in token of holy obedience and under pain of suspension from divine ordinances, that ye peremp-

torily, etc., warn and charge the reverend father Andrew, Commendator of Jedburgh, and likewise a venerable man, Mr. Robert Richartsoun, iconomus of the place and monastery of Melrose, being within our diocese of Glasgow and your deanery of Teviotdale, whom we also by the tenor of these presents warn, that between this and Lammas next they respectively maintain in these places, proportionate with their revenues, a sufficient number of religious, and provide them with food and clothing and other necessaries of life, and repair their ruined and dilapidated buildings in keeping with their requirements, under pain of excommunication; which feast of Lammas if it pass and the foresaid persons have not given obedience to these our warnings, that upon all Lord's Days, feast days and others, during celebration of Mass, ye publicly and solemnly declare them excommunicated, from which denunciation they shall not be freed until they voluntarily return to the bosom of holy Mother Church and show themselves worthy to obtain the benefit of absolution according to the usage of the Church: and that these presents duly executed ye return to the bearer. Given, etc. (as before).

'Quod nulla ecclesiastica persona teneat in servicio aliquas personas in heresi suspectas.

'Jacobus miseratione divina,' etc., 'Quia alias per statuta nostre synodi infra nostram ecclesiam metropolitanam Glasguensem jam ultimo tente secundum declarationem concilii provincialis prelatorum hujus regni decretum extitit quod nullus prelatus ant ecclesiasticus cujuscunque status gradus ordinis dignitatis aut preminentie nostre Glasguensis diocesis teneat aut alat aliquas personas de heresi suspectas in suis familia aut comitatu ac ullo quotidiano officio, ac etiam qui sacrosancto misse sacrificio et aliis divinis officiis interesse dedignantur dominicis saltem dominicis et majoribus festis, vel qui contempnunt ecclesie sacramenta, vel qui contra fidem catholicam et orthodoxorum patrum sentenciam erroneas teneant opiniones, sed statim ubi hujusmodi

reperti fuerint culpabiles ab eorum servitio consortio et familia removeantur sub pena centum librarum monete in prelatos pro prima vice, secunda vice duplicetur, et in alios inferiores ecclesiasticos pena alia arbitraria per nos injungenda; ac etiam ut ipsi ecclesiastici supradicti quotidie horas canonicas et alia divina officia recitent sub eadem pena contravenientibus injungenda. Et ne ipsi beneficiati et alii ecclesiastici nostre diocesis in premissis culpabiles hujusmodi nostra statuta et precepta synodalia ignorasse seu ad earum noticiam minime devenisse sese excusaverint, vobis igitur et vestrum cuilibet in virtute sancte obedientie,' etc., 'peremptorie venerabiles . . . quos nos eciam tenore presentium expresse monemus quatenus infra sex dierum spatium monitiones vestras tunc proxime et immediate sequentium quascunque personas de heresi suspectas de suis familia et comitatu et servicio amoverunt et amotas teneant ut predicitur, necnon quotidie horas canonicas et alia divina officia recitent sub penis suprascriptis in nostris statutis latius specificatis, certifiendo eosdem sic premonitos quod lapsis dictis sex dierum monitionibus et eisdem non paruerint cum effectu nos ad executionem nostrorum statutorum et repetitionem penarum in eisdem contra non parentes juxta formam et continentiam eorundem statutorum desuper editorum justitia mediante procedere curabimus. Et presentes debite executas earumdem reddatis latori. Datum sub nostro sigillo rotundo et subscriptione nostri secretarii in premissis apud' (etc. as before.) (f. 29.)

(*Translation*)

That no churchman shall retain in his service any persons suspected of heresy.

James, by the mercy of God, etc. Whereas it has been decreed by the statutes of our synod lately held within our cathedral kirk of Glasgow, in conformity with the finding of the Provincial Council of the prelates of this realm, that no prelate or churchman in our diocese of Glasgow of whatsoever state, degree, rank, dignity or precedence, shall employ or maintain any persons suspected of heresy

in his household or retinue and in any daily service, who either disdain to take part in the most holy sacrifice of the Mass and other divine offices on Lord's Days, at least on holy days and the greater feasts, or contemn the sacraments of the Church, or entertain erroneous opinions against the Catholic faith and the doctrine of the orthodox Fathers, but shall, where such heretical persons are discovered, immediately remove them from his service, retinue and household, under a penalty of one hundred pounds to be exacted of prelates for the first offence, and double for the second offence, and such arbitrary penalties as shall be enjoined by us in the case of the lesser clergy. And also that the foresaid churchmen daily recite the canonical hours and other divine offices, under the like penalties: And lest the said beneficed and other clergy of our diocese contravening the premises plead excuse to have overlooked or not to have had intimation of these our statutes and synodal precepts, therefore we expressly charge you and each of you, in token of holy obedience, etc., that ye peremptorily warn venerable men . . . [*sic*] whom we likewise by the tenor of these presents warn that within six days after receiving your intimations they remove and keep away as aforesaid from their household, retinue and service such persons as are suspected of heresy, and likewise that they shall recite daily the canonical hours and other divine offices, under the pains above written, more fully specified in our statutes, certifying those thus warned that if they have not given obedience within the said six days we will be careful by way of justice to proceed to the effectual execution of our statutes and imposition of the penalties contained therein against disobeyers, conform to the tenor and contents of the said statutes promulgated thereanent; and that ye return these presents duly executed to the bearer. Given, etc. (as before).

'De modo baptizandi secundum ecclesie consuetudinem.

'Jacobus miseratione divina,' etc. 'Quia juxta traditionem et declarationem concilii provincialis prelatorum

hujus regni jam ultimo edicti apud opidum Edinburgi penes novum inusitatum modum baptizandi infantes, ut omnis ambiguitas tollatur et infantium saluti totius et melius consoletur [*sic*], decretum ut omnes infantes exstitit a sacerdotibus baptizentur secundum formam a Christo institutam et ab ecclesia receptam : Quocirca vobis et vestrum cuilibet et cetera ' [*sic*]. (f. 30.)

(*Translation*)

Of the manner of baptism conform to the usage of the Church.

James, by the mercy of God, etc. Whereas conform to the finding and declaration of the Provincial Council of the prelates of this realm recently issued at Edinburgh relative to the new unaccustomed method of baptizing infants, it was decreed, for removing all ambiguity and more fully and better assuring the salvation of infants, that all infants shall be baptized by the priests conform to the method instituted by Christ and accepted by the Church : Wherefore we ordain and commend you and each of you, etc.

' Contra vicarios pensionarios et cetera.

' Jacobus miseratione divina,' etc., ' Quia alias per nostra statuta synodalia jam ultime edita monuimus omnes et singulos vicarios pensionarios nostre diocesis Glasguensis quatenus deinceps et in futurum in administratione quotidiana divinorum sacramentorum ecclesiasticorum suis parochianis personaliter et in propria persona apud suas ecclesias resideant et substitutos ab eisdem amoveant per seipsos in curis suis deserviendo sub pena deprivationis a suis beneficiis et pensionibus ; et ne ipsi vicarii pensionarii nostri diocesani nostra statuta ignorare seu ad eorum noticias minime devenire sese excusaverint, quocirca vobis et vestrum cuilibet, et cetera ' [*sic*]. (f. 30.)

(*Translation*)

Against vicars pensioners, etc.

James, by the mercy of God, etc. Whereas by our synodal statutes lately published we have warned all and

sundry vicars pensioners of our diocese of Glasgow that henceforth and in time coming they shall themselves in proper person reside at their churches for daily administration of the divine sacraments of the Church to their parishioners, and shall remove the substitutes whom they have employed for this service, under pain of forfeiting their benefices and pensions; and lest our said diocesan vicars pensioners plead ignorance of our commands, we therefore ordain and command you and each of you, etc.

'Contra habentes plura beneficia.

'Jacobus miseratione divina,' etc., 'Quia in ultimo concilio provinciali prelatorum hujus regni tento apud opidum Edinburgi statutum erat quod singuli ecclesiastici plura beneficia ecclesiastica obtinentes per locorum ordinarios vocentur ad exhibendum et producendum coram eis suas dispensationes et provisiones si quas habent, juxta tenorem capituli ordinarii De officio judicis ordinarii, et quod singuli beneficia ecclesiastica obtinentes simili modo vocentur, et qui minime sacris ordinibus initiati fuerint ad susceptionem ordinum suis beneficiis requisitionum [*sic l.* requisitorum] aut eisdem beneficiis suis renunciant censura ecclesiastica et sub penis in capite licet canon De electione, libro vj° contentis compellantur. Quocirca vobis et vestrum cuilibet et cetera.' (f. 30.)

(*Translation*)

Against the holders of a plurality of benefices.

James, by the mercy of God, etc. Whereas in the last Provincial Council of the prelates of this realm held at Edinburgh it was appointed that all churchmen obtaining a plurality of ecclesiastical benefices shall be summoned by their local ordinaries to exhibit and produce to them their dispensations and gifts if they have any, conform to the tenor of the Chapter *Ordinarii*, 'Concerning the office of the Judge ordinary,' and that all who obtain [any] ecclesiastical benefices shall be summoned in like manner, and those who have not taken holy orders must take the orders requisite for their benefices or renounce the said benefices, and shall be compelled hereto by church censure

and under the penalties contained in the Chapter *Licet Canon* 'Concerning Election,' in the Sixth Book: Therefore we ordain and command you and each of you, etc.

'Ut parochiani intersint sacris misse solempniis diebus dominicis et festivis.

'Jacobus miseratione divina,' etc. 'Quia hisce temporibus contemptum maximum divinorum misteriorum inter hujus regni subditos ac nostros diocesanos invaluisse conspicimus, proinde secundum declarationem statutorum concilii provincialis prelatorum hujus regni Scotie ordinatum exstitit ut omnes et singuli nostri diocesani in suis ecclesiis parochialibus sacrosancto misse sacrificio diebus dominicis et aliis festivis duplicibus ab ecclesia indictis aut divini Verbi predicationibus interesse diligentes, sed a sacrosancto misse sacrificio in suis parochialibus ecclesiis sese ultro absentates diligenter notentur per curatos ecclesiarum qui eosdem decanis ipsis in suis visitationibus majorum excessuum deferant penitentiis publicis juxta personarum qualitates et dilecti [*sic. l.* delicti] hujusmodi frequentationem districte puniendi non solum censura ecclesiastica sed etiam aliis penis arbitrio ordinariorum infligendis. Quocirca vobis et vestrum cuilibet, et cetera.' (f. 30.)

(*Translation*)

That parishioners shall take part in the holy solemnities of the Mass on Lord's Days and feast days.

James, by the mercy of God, etc. Whereas in these days we perceive a great contempt of divine mysteries to have taken possession of the subjects of this realm and our diocesans, on account of which it has been ordained, according to the declaration of the statutes of the Provincial Council of the prelates of this kingdom of Scotland, that all and sundry our diocesans shall diligently attend in their parish churches the sacred sacrifice of the Mass on Lord's Days and other special feasts instituted by the Church, or the preaching of the divine Word, but on the other hand those who absent themselves from the sacred sacrifice of the Mass in their parish churches shall be

carefully noted by the curates of the churches, who shall report them to their deans in their visitations of the greater transgressions, to be strictly punished by public penances according to the quality of the persons and the frequency of the said offence, not only by church censure but by other pains to be inflicted upon them at the discretion of their ordinaries: Wherefore we ordain and command you and each of you, etc.

'Contra parochianos pro reparatione ecclesie.

'Jacobus miseratione divina,' etc. 'Quia in nostra ultima synodo tenta per nos apud nostram civitatem Glasguensem juxta ordinationem concilii provincialis prelatorum hujus regni decretum exstitit ut quecunque ecclesie infra nostram diocesim Glasguensem dirute et dilapse in muribus ipsarum ecclesiarum et muri cimitoriorum ipsarum ecclesiarum in terram dejecti a parochianis reparari solite in parietibus tectis ornamentis et omnibus aliis necessariis per ipsos parochianos reedificentur et reparentur. Quocirca vobis et vestrum cuilibet, et cetera.' (f. 30.)

(*Translation*)

Against parishioners to repair the fabric of churches.

James, by the mercy of God, etc. Whereas in our late synod held by us at our city of Glasgow, conform to the appointment of the Provincial Council of the prelates of this realm, it was decreed that whatsoever churches within our diocese of Glasgow, the walls of whose fabric are ruined and dilapidated and the walls of whose cemeteries are cast down, are accustomed to be repaired by the parishioners, shall be rebuilt and repaired by the said parishioners as to walls, roofs, ornaments, and all other necessary things: Wherefore we command and ordain you and each of you, etc.

'De habitus [*sic*] clericorum.

'Jacobus miseratione divina,' etc. 'Quia alias per statuta nostra synodalia infra ecclesiam nostram metropolitanam Glasguensem jam ultime edita secundum declara-

tionem consilii provincialis prelatorum hujus regni ordinatum est quod prelati et ecclesiastici beneficiati cujuscunque gradus status ordinis religionis aut existentie fuerint tam etiam exempti quam non exempti habitu decenti veteri clericorum more duntaxat utantur et ut sui status et condicionis rationem habeant tam in habitu decenti quam in tonsura facienda quo secularium obtrectationes contra clericos compescantur, utque clerici a laicis habitu distingi ut decet conspiciantur sub [pena] amissionis quarte partis proventuum suorum beneficiorum per nos levandorum et percipiendorum ac in pios usus applicandorum pro prima vice quo ad ipsos beneficiatos, et quo ad inferiores pena arbitraria per nos injungenda secundum formam statuti provincialis editi apud Linlythquho in anno Domini etc. xlix° prout in ipsis statutis desuper editis latius continetur. Proinde ne ipsi ecclesiastici nostri diocesani in premissis culpabiliter hujusmodi nostra statuta ignorasse censeantur et ad eorum noti[ci]am minime devenisse sese excusaverint, vobis igitur et vestrum cuilibet, et cetera.' (f. 30.)

(*Translation*)

Concerning the vestments of churchmen.

James, by the mercy of God, etc. Whereas by our synodal statutes lately promulgated within our cathedral church of Glasgow, in accordance with the declaration of the Provincial Council of the prelates of this realm, it is ordained that prelates and beneficed clergy of whatsoever degree, state, rank, religion or living, as well exempt as not exempt, shall wear simply a seemly garment after the old manner of the clergy, that their standing and position may be recognised as well by their raiment as by the tonsure, whereby the disparagement of the clergy by the people may be removed, and that churchmen may be careful, as becomes them, to be distinguished by their garb from the laity, under penalty of forfeiting a fourth part of the rents of their benefices to be uplifted and received by us and applied for pious uses, for the first offence of the beneficed clergy, and discretionary pains to be enjoined by us in

the case of the lesser clergy, in terms of the statute of the Provincial Council held at Linlithgow in 1549, as in the said statutes issued thereanent is more fully contained. Therefore, lest any of our diocesan clergy think negligently to ignore our said statutes or pretend non-intimation thereof, we command and ordain you, etc.

'Contra concubinas habentes.

'Jacobus miseratione divina,' etc. 'Quia alias ex clericorum incontinentia nonnullos beneficiarios nostre Glasguensis diocesis publicas concubinas detinentes ac etiam proles ex hujusmodi concubinatu susceptas in suis familiis et consortiis tenentes et alentes, in gravissimum ecclesie scandalum hisce temporibus exortum concepimus, proinde hinc malo in quantum possumus occurrere et pro hujusmodi macula extra nostram diocesim exstirpanda et purganda cupientes, in statutis nostris synodalibus juxta editionem statutorum concilii provincialis prelatorum hujus regni jam ultimo tenti apud Edinburgum ordinatum est quod quicunque ecclesiasticus beneficiatus cujuscunque status gradus ordinis conditionis religionis aut dignitatis tam exemptus quam non exemptus, licet commendatarius, publicus fuerit concubinarius, a perceptione fructuum omnium beneficiorum suorum trium mensium spatium sit ipso facto suspensus in fabricam vel aliam evidentem ecclesiarum utilitatem convertendorum, et nisi illam publicam concubinam dimiserit debite admonitus vel si etiam illa dimissa aliam resumpserit suis omnibus beneficiis privandus censebitur et aliis etiam penis mulctabitur, prout in Concilio Basiliensi latius explicatur; ac etiam ne qui ecclesiastici suas proles ex concubinatu susceptas in suis familiis et consortiis alant et tineant sic quod ultra quatriduum et id non palam singulis trimestribus morentur sub pena centum librarum monete in prelatum et alia pena arbitrilia [*sic*] per nos in inferiores injungenda pro prima vice, et secunda vice duplicanda. Insuper etiam ne ipsi ecclesiastici per se vel alios eorum nomine filias suas baronibus aut aliis dominis supra summam centum librarum monete annui hereditarii

proventus habentes[1] de patrimonio Christi dotent aut in matrimonio colloce[n]t, sub pena tantundem pecunie tanquam dotis nomine promissum datumve fuerit solvende et per nos exigendi, neque etiam [filios] suos barones aut terrarum dominos ultra summam centum librarum monete annui hereditarii proventus efficiant sub eadem pecunie pena, terras etiam ecclesiasticas ad eorum beneficia spectantes vel decimas dictis suis prolibus aut concubinis directe vel indirecte nullo modo alienent aut assedent prout in statutis nostris synodalibus in nostra hac synodo apud nostram civitatem Glasguensem editis latius statuimus et manda[vi]mus decrevimusque. Et ne ipsi beneficiarii et alii ecclesiastici nostri diocesani in premissis inculpabiles hujusmodi nostra statuta ignorare censeantur et ad eorum noticiam minime devenisse se excusaverint, quocirca vobis et vestrum cuilibet et cetera.' (f. 30.)

(*Translation*)

Against the keeping of concubines.

James, by the mercy of God, etc. Whereas we understand that by reason of the incontinence of the clergy several of the beneficed clergy of our diocese of Glasgow do keep public concubines, and also keep and sustain in their families and retinue the children begotten of such concubinage, to the very grave discredit of the Church in these times, therefore being desirous to remedy this evil so far as is in our power and to purge and remove this stain from our diocese, it was ordained by our synodal statutes, in accordance with the statutes issued by the Provincial Council of the prelates of this kingdom lately held at Edinburgh, that whosoever of the beneficed clergy of whatever state, degree, rank, standing, religion or dignity, as well exempt as not exempt, even though he be a commendator, should be guilty of public concubinage, shall be by the act itself suspended for the space of three months from receiving the fruits of all his benefices, which are to be employed for maintaining the fabric or for some

[1] Robertson, *Statuta*, ii. 55, gives 'habentibus,' which seems to be the correct reading.

other purpose of apparent utility to the churches, and if after due warning he put not away that public concubine, or having dismissed her shall take her again, he shall be considered deprived of all his benefices and shall be mulcted in other penalties as is set forth more fully in the [decrees of the] Council of Basle; and also no ecclesiastic shall keep and maintain in his household and retinue his children begotten in concubinage, so that they should stay with him more than four days in every three months, and that not openly, under the pain of one hundred pounds in the case of a prelate, and other discretionary pains to be imposed by us on inferiors, for the first offence, doubling them for a second offence. Moreover no ecclesiastic by himself or others in his name shall bestow his daughters in marriage, or dower them out of the patrimony of Christ, upon barons or other lords having more than one hundred pounds of yearly heritage, under penalty of paying as much money, to be exacted by us, as the amount of the dowry which was promised or paid; nor shall they make their sons barons or lords of land having above one hundred pounds of yearly heritage, under the like penalty; nor shall they assign or dispone by any means directly or indirectly any church lands pertaining to their benefices to their said children or concubines, as we have more fully ordained, appointed and decreed by our synodal statutes promulgated in our said synod at our city of Glasgow. And lest the said beneficed and other clergy, our diocesans, contravening the premises, think to overlook our decrees or plead non-intimation thereof to them, therefore we ordain and command you and each of you, etc.

'Commissarius Melrosensis universis et singulis curatis presbyteris notariisque publicis per universam jurisdictionem nostram Melrosensem divina celebrandis et super executione presentium debite requisitis, salutem. Literas honorandi et nobilis domini Jacobi permissione divina Commendatarii perpetui monasteriorum de Calco et Melrose de data apud Edinburgum decimo Februarii anno Domini millesimo quingentesimo quinquagesimo

quinto continentes certam assignationem concessionem et confirmationem cujusdam annue pensionis pro sustentatione religiosorum virorum subperioris [*sic*] et conventus dicti monasterii de Melrose existentium in numero sexdecem monachorum de fructibus redditibus proventibus juribus decimis et emolumentis dicti monasterii de Melrose accedentibus etiam ad hoc express. consensu et assensu ac confirmatione venerabilis in Christo patris Gualteri monasterii Vallis Lucis Abbatis et Commissarii Generalis infra regnum Scotie per reverendissimum dominum Abbatem Cistercii et capitulum generale ejusdem ordinis potestate fungentis ad manus accepimus, quarumquidem literarum assignationis et concessionis predictarum vigore fuimus pro parte supprioris et conventus dicti monasterii de Melrose in eisdem assignationis literis principaliter nominatorum debita cum instantia requisiti, quatenus literas nostras monitoriales eisdem literis assignationis annue pensionis conformes contra omnes et singulos quoscunque infra nostram jurisdictionem Melrosensem commorantes predictam annuam pensionem solvere debentes in forma solita et consueta concedere dignaremur. Nos igitur attendentes requisitionem hujusmodi fore justam et rationi consonam et propteria prefatas nostras monitoriales literas predictis literis assignationis dicte pensionis annue conformes decernendas et concedendas fore, prout decernimus et concedimus presentium per tenorem, vobis vero et vestrum cuilibet in virtute sancte obedientie et sub pena suspentionis a divinorum celebratione stricte precipiendo mandamus quatenus moneatis legitime et in genera necnon nominatim et in speciale per se respective prout desuper requisiti fueritis seu alter vestrum fuerit requisitus omnes et singulos utriusque sexus incolas colonos manuratores inhabitatores et firmarios terrarum et villarum de Galtonsyd, Dernwyk, Awna, duorum molendinorum monasterialium, Blaneslie, Threipwod, Eildoun, Newton, et molendini ejusdem, Apilltreleis, Williamlaw, Langschaw, molendinique ejusdem, Wolhousbyr ex parte ori[en]tali ejusdem, Calfhill, Cowmeslie, Laudupmure, et occupatores quorumcunque pastuorum [*sic*] communum dicti monasterii

de Melrose, necnon collectores financiarum pascalium et lini decimalis dicte parochie infra predictam nostram jurisdictionem unde et a quibus fructus proventus jura obventiones et emolumenta predictarum terrarum et villarum de Galtonsyd, Dernwyk, Awnay, duorum molendinorum monasterialium, Blaneslie, Threipwod, Eldon, Newton et molendini ejusdem, Appiltreleis, Williamlaw, Langschaw molendinique ejusdem, Wolhousbyr ex parte orientali, Cawfhill, Cowmesliehill, Cowmeslie, Lawdopmur, pascuorum communum et financium paschalium necnon lini decimalis dicte parochie levari solent aut debent primo secundo tertio unico tamen contextu pro triplici edicto et peremptorie quos nos et eorum quemlibet tenore presentium monemus quatinus indilate viz. incole firmarii coloni laboratores et manuratores ac inhabitatores terrarum et villarum de Galtounsyd et Dernewyk de sexdecem cheldris brasii et duodecim bollis ordii boni et sufficientis grani et mensure garnarie et de cariagiis dicte ville de Galtunsyd, de lye Awnay de duabus cheldris farine avenatice equate mensure, de dictis duobus molendinis monasterialibus et sex cheldris frumenti et pro hujusmodi frumenti bona solutione, ipsa duo molendina monasterialia cum suis multuris sequelis et divoriis eorundem memoratis religiosis per dictas assignationis literas specialiter assignantur, de Blaneslie de quadraginta quinque libris et pulteriis ejusdem wille, de Threipwod de viginti octo libris et xiij s. iiij d., de Eilldoun et Newtoun et de molendino ejusdem quinquaginta octo libris, de Apiltreleis de trigenta libris, de Williamlaw de quinque libris, de Langschaw et molendino ejusdem de undecim libris xiij s. iiij d, de Wolhousbyr ex parte orientali ejusdem, de tribus libris vj s. viij d, de Cawfhill de decim libris, de Cowmesliehill de quinque libris, et de fynanciis paschalibus dicte ecclesie de Melrose de quadraginta libris, de Cowmeslie et Laudopmur de sexaginta quatuor petris butteri, de pascuis comunibus ejusdem monasterii de nonaginta quatuor petris casei, necnon de lino decimali dicte parochie per parochianos, et hoc anno instanti et annuatim ac terminatim futuris temporibus juxta vim formam continentiam et tenorem

predictarum literarum assignationis concessionis et confirmacionis pensionis annue dictis suppriori et conventui alias assignate prompte pareant respondeant obediant et efficaciter intendant, et quilibet eorum per se respective pro sua parte prompte pareat respondeat obediat et efficaciter intendat ac persolvat et satisfaciat realiter et cum effectu et nulli alteri, sub pena excommunicationis majoris : Et insuper modo et forma premissorum inhibentes omnibus et singulis utriusque sexus incolis colonis manuratoribus et firmariis terrarum et villarum de Galtunsyd Dernewyk Awnay duorum molendinorum monasterialium dictis suppriori et conventui ut supra assignatorum et de Blaneslie Threipwod Eildoun Newtoun Appiltreleis Williamlaw Langschaw et molendini ejusdem de Wolhousbyr ex parte orientali Cawfhill Cowmesliehill et collectoribus fynanciarum paschalium dicte ecclesie de Melrose et parochianis ejusdem pro lino decimali necnon firmerariis de Cowmeslie et Laudopmur et occupatoribus pascuorum comunum et eorum cuilibet respective et aliis quibuscunque cujuscunque gradus status ordinis vel conditionis existant, quibus nos et eorum cuilibet inhibemus ne ipsi aut eorum aliquis circa solutionem et satisfactionem predictarum summarum victualium et pecuniarum ac lini decimalis et buteri casei *lie* pultre cum careagiis, et similiter omnibus et singulis premissis personis et aliis quibuscunque cujuscunque gradus status ordinis vel conditionis existant per se nec per personam interpositam aut eorum aliquis cum piscaria de Tuede dictis suppriori et conventui spectan. et pertinen. aut cum *lie baikhous yaird* pro filo providendo et mercede certoris ipsorum religiosorum vestimenta conficientis vel cum cameris et hortis infra scepta monasterii de Melrose et per religiosos ejusdem hactenus plantatis et edificatis, nec demum cum quibuscunque aliis emolumentis proficuis asiamentis libertatibus ac previlegiis in dictis assignationum literis specificatis et nominatis, et secundum vim formam et tenorem eorundem impedimentum aliquod quominus prefati supprior et conventus ejusdem monasterii per se suosve factores officiarios seu servitores nempe religiosos ejusdem monas-

terii plures aut unum cum predictis pecuniarum ac victualium et aliorum quorumcunque suprascriptorum summis ac commodis et emolumentis superius specificatis et in dictis assignationis literis contentis memoratis suppriori et conventui assignat. libere intromittere et de eisdem ad ipsorum voluntatis libitum disponere possunt et valeant possitque et valeat per se vel per alium seu alios publice vel occulte derecte vel indirecte quovis quesito colore vel ingenio prestant aut prestare presumant seu presumat sed ab omni molestatione vexatione perturbatione et impedimento eorundem respective in premissis penitus et omnino ac realiter et cum effectu cessent et desistant et quilibet eorum respective cesset et desistat sub simili excommunicationis majoris pena; Quam in contrarium facientes trina et canonica monitione premissa ferimus in his scriptis et quos viros sic monitos et inhibitos monitionibusque et inhibitionibus nostris hujusmodi non parentes et obtemperantes, lapsis trina et canonica monitione premissa, publice et solempniter excommunicatos denunciatis, et in singulis ecclesiis vestris omnibus diebus dominicis festivis et aliis infra missarum solempnia ut moris est publicetis, a dicta denunciatione non cessanda donec aliud a nobis habueritis in mandatis: Et presentes debite executas earundem latori reddatis. Datum apud Melrose sub nostro signeto in consimilibus apponi solito et manuali subscriptione clerici nostri consistorialis ex nostro speciali mandato decimo septimo die mensis decimo [*sic*] Martii anno Domini millesimo quingentesimo quinquagesimo sexto.

'Radulphus Hudsone scriba consistorialis Melrosensis manu sua subscribit.' (f. 32.)

(*Translation*)

The Commissary of Melrose, to all and sundry curates, priests and notaries public celebrating divine offices throughout our whole jurisdiction of Melrose and duly required to put the premises to execution, greeting. There have come to our hand letters of an honorable and noble lord, James, by Divine permission perpetual Commen-

dator of the monasteries of Kelso and Melrose, dated at Edinburgh, 10th February 1555, containing sure assignation, grant and confirmation of a certain annual pension for sustenance of religious men the subprior and convent of the said monastery of Melrose, being in number sixteen monks, out of the fruits, rents, profits, rights, teinds and emoluments accruing to the said monastery of Melrose, and that with express consent, assent and confirmation of a venerable father in Christ, Walter, Abbot of Glenluce and Commissary General within Scotland having power from the most reverend lord the Abbot of the order of Cistercians and the chapter general of that order, on the strength of which letters of assignation and disposition foresaid we were duly and earnestly required for the part of the subprior and convent of the said monastery of Melrose principally named in the said letters of assignation, that we might condescend to grant our monitory letters in the usual and common form, conform to the said letters of assignation of a yearly pension, against all and sundry persons dwelling within our jurisdiction of Melrose who ought to pay the foresaid yearly pension. We therefore acknowledging this request to be just and according to reason, and that our monitory letters ought therefore to be decerned and granted conform to the foresaid letters of assignation of the said yearly pension, as by the tenor of these presents we grant and decern, do hereby strictly command and charge you and each of you in token of holy obedience and under pain of suspension from the celebration of divine ordinances, that lawfully and in general as likewise each one particularly by name ye, or either of you respectively who shall be hereto required, by three intimations of one tenor peremptorily warn all and sundry inhabitants of both sexes, tenants, cultivators, indwellers and farmers of the lands and towns of Gattonside, Darnick, Annay, the two mills of the monastery, Blainslie, Threipwood, Eildon, Newton and its mill, Appletreeleaves, Williamlaw, Langshaw and its mill, Wolhousebyre Easter, Calfhill, Colmislee, Ladhopemuir, and the occupiers of whatsoever common pastures of the said monastery of

Melrose, as also the collectors of the Easter dues and teind flax of the said parish by whom the fruits, profits, rights, produce and emoluments of the foresaid towns and lands (etc. as above) are due or in use to be uplifted, (whom we also by the tenor of these presents warn) that without delay the said indwellers, farmers, tenants, labourers, cultivators and inhabitants of the towns and lands aforesaid promptly obey, answer, and effectually pay, and each of them really and with effect for his own part satisfy and pay, viz. from Gattonside and Darnick 16 chalders of malt and 12 bolls of barley good and sufficient stuff and girnel measure, with the carriages of the said town of Gattonside; from the Annay 2 chalders of oatmeal, like measure; from the two Abbey mills six chalders of wheat, for sure payment of which wheat the said two Abbey mills with their multures, sequels and dues are specially assigned to the foresaid religious by the said letters of assignation; from Blainslie 45 lib. and poultry; from Threipwood 28 l. 13 s. 4 d.; from Eildon and Newton and its mill 58 l.; from Appletreeleaves 30 l.; from Williamlaw 5 l.; from Langshaw and its mill 11 l. 13 s. 4 d.; from Wolhousebyre Easter 3 l. 6 s. 8 d.; from Calfhill 10 l.; from Colmisleehill 5 l.; of the Easter dues of the kirk of Melrose 40 l.; from Colmislee and Ladhopemuir 64 stones of butter; from the common pastures of the said monastery 94 stones of cheese; and the teind flax of the said parish due by the parishioners; and that for the present year and yearly and termly in time to come, conform to the force, tenor, contents and effect of the foresaid letters of assignation, disposition and confirmation of a yearly pension granted to the said subprior and convent, under pain of the greater excommunication: Discharging moreover by the scope and tenor of these presents all and sundry of either sex, indwellers, tenants, occupiers and farmers of the lands and towns of Gattonside, Darnick, Annay, the two Abbey mills assigned as above to the said subprior and convent, Blainslie, Threipwood, Eildon, Newton, Appletreeleaves, Williamlaw, Langshaw and its mill, Wolhousebyre Easter, Calfhill, Colmisleehill, and the

collectors of the Easter dues of the said kirk of Melrose, the parishioners for the teind flax, and the farmers of Colmislee and Ladhopemuir and occupiers of the common pastures, and each of them respectively and others whomsoever of whatever degree, state, rank or condition they be, (whom we likewise hereby discharge) from hindering or presuming to withhold by themselves or others publicly or secretly, directly or indirectly, under any plea, colour or pretence, the payment and satisfaction of the foresaid sums of victual and money, teind flax, butter, cheese, poultry, and carriages; as likewise discharging all and sundry the foresaid persons and others whomsoever of whatever degree, state, rank or condition they be, from intromitting by themselves or by an intermediary with the fishings of Tweed pertaining and belonging to the said subprior and convent, or with the bakehouse yard for providing thread and tailors' material for the making of the monks' garments, as with the chambers and gardens within the bounds of the monastery of Melrose hitherto erected and planted by the monks, or with any other emoluments, profits, easements, liberties and privileges specified and named in the said letters of assignation, so that without impediment the foresaid subprior and convent of the said monastery by themselves or by their factors, officers or servitors, one or more, being monks of the said monastery, may be able freely to intromit and at their pleasure dispone upon the foresaid sums of money and victual and others above-written, and commodities and emoluments above specified, contained in the said letters of assignation and assigned to the said subprior and convent; but that they cease and desist entirely and absolutely from all molestation, vexation, troubling and hindering of the premises, under the like pain of the greater excommunication, which by these presents after the third and canonical intimation we pronounce upon the contraveners, and charge you that ye publicly and solemnly declare excommunicated such as being so warned and discharged fail to obey and obtemper our said warnings and prohibitions, after the third and canonical admonition,

and that ye publish their names in all your churches on all Lord's Days, feast-days and others, during the celebration of Mass, as use is; from which denunciation they shall not be released till ye have our further commands: And these presents duly executed ye shall return to the bearer. Given at Melrose under our signet accustomed in the like cases to be appended, and under the subscription of our consistorial clerk, at our special command, the 17th day of March 1556. Ralph Hudson, consistory clerk of Melrose, subscribes with his hand.

'xxj° Marcii 1556 viz. Dominica tercia Quadragesime, ego Dominus Andreas Wrycht capellanus publice monui omnes et singulos occupatores et firmarios de Galtunsyd, Dernewyk, Awnay, ac molendinorum monasterialium, necnon tenentes et occupatores de Blaneslie, Threipwod, Eildon, Newtoun, et molendini ejusdem, Apiltreleis, Williamlaw, Langschaw et molendini ejusdem, Wolhousbyr ex parte orientali, Caufhill, Cowmesliehill, Cowmeslie, Laudopmur, et collectores fynanciarum paschalium ac etiam parochianos dicte parochie et eorum quemlibet respective ad parendum et persolvendum omnes et singulas summas pecuniarum et victualium buteri ac lini decimales et aliorum quorumcunque fructuum suppriori et conventui monasterii de Melrose eorumve factoribus et nulli alteri secundum quantitatem summarum in literis assignationis honorabilis domini Commendatarii de Melrose contentarum et secundum vim formam et tenorem superscriptarum literarum monitorialium sub pena excommunicationis, cum in[h]ibitione omnibus et singulis ut superius continetur per presentes, teste manu propria, Dominus Andreas Wrycht.' (f. 33.)

(*Translation*)

1556, March 21st, being the Third Sunday in Lent, I Sir Andrew Wright, chaplain, publicly warned all and sundry occupiers and farmers of Gattonside, Darnick, Annay, and the Abbey mills, as also the tenants and occupiers of Blainslie, Threipwood, Eildon, Newton and its mill, Appletreeleaves, Williamlaw, Langshaw and mill

thereof, Wolhousebyre Easter, Calfhill, Colmisleehill, Colmislee, Ladhopemuir, the collectors of the Easter dues, and the parishioners of the said parish, and each of them respectively, to satisfy and pay all and sundry sums of money and victual, butter, teind flax and other produce whatsoever, to the subprior and convent of the monastery of Melrose or their factors and no other, conform to the amount of the sums contained in the Commendator's letters of assignation and the tenor of the above written monitory letters, under pain of excommunication, with prohibition to all and sundry as is above mentioned; as witness my hand, Sir Andrew Wrycht.

'Copia Literarum officii Yconomie pro Magistro Johanne Hepburne, rectoris de Dalry, Yconimi de Melros.

'Jacobus miseratione divina Archiepiscopus Glasguensis, universis et singulis sancte Matris ecclesie filiis ad quorum noticias presentes litere pervenerint, salutem cum benedictione divina. Quia nobis ex pastorali incumbit officio ut beneficia ecclesiastica infra nostram diocesim maxime monasterialia seu abbatialia abbatibus suis pro tempore destituta et ecclesias parrochiales eisdem monasteriis annexatas unitas et incorporatas certos yconomos in eisdem deputare creare constituere facere et ordinare, confisi primitus de prudentia et discretione literarumque scientia vite ac morum honestate venerabilis viri Magistri Joannis Hepburne, rectoris de Dalry, aliisque rationabilibus causis animum nostrum moventibus ipsum, itaque yconomum in et ad omnes et singulas parrochiales ecclesias tam rectorias quam vicarias infra nostram diocesim consistentes monasterio de Melrois nunc abbate destituto respective unitas et incorporatas, cum fructibus redditibus proventibus ac pertinentiis annexis et connexis earundem parrochialium ecclesiarum tam rectoriarum quam vicariarum tenoreque presentium facimus constituimus deputamus creamus et ordinamus durante vacatione dicti monasterii de Melrois et usque ad legittimam promotionem et provisionem futuri abbatis seu commendatarii desuper auctoritate apostolica facientem, mediantibus literis sup-

plicatoriis serenissimorum dominorum Regis et Regine Scotorum Delphini et Delphine Viennensium et alias juxta et secundum mentem et directionem etiam serenissime Domine Marie Regine Dotarie hujus regni Regentis nobis ratione officii nostri ordinarii in hac parte specialiter directam et presentatam; Dantes igitur et concedentes prefato yconomo nostram liberam puram et omni modam potestatem ordinariam et mandatum speciale ad predictas omnes et singulas parrochiales ecclesias infra nostram diocesim consistentes accedendi, et ibidem de administratione et dispositione fructuum reddituum jurium et decimarum predictarum omnium et singularum parrochialium ecclesiarum cognoscendi, et ibidem firmarios factores et intromissores earundem coram eo vocandi, eosque et eorum quemlibet de habitis receptis et levatis post datam presentium ac in futurum recipiendis et levandis quiete clamandi et exonerandi, necnon ad calculum computum et ratiocinium de singulis fructibus ut premittitur per eos seu eorum quemlibet post datam presentium intromissis et receptis ac in futurum intromittendis et recipiendis omnium et singularum parrochialium ecclesiarum infra nostram diocesim consistentium quousque de novo abbate seu commendatario canonice providiatur auctoritate nostra, si opus fuerit, compellendi, firmariorum seu factorum calcula computasque in scriptis redigendi, novos inibi factores firmar[i]os et intromissores totiens quotiens sibi videbitur opportunum in eisdem ecclesiis parrochialibus imponendi et ante quos prout juris fuerit expellendi, quascunque pecuniarum et victualium summas et quascunque alias res et bona ex eisdem parrochialibus ecclesiis post datam presentium ut prefertur petendi levandi exigendi et recipiendi, et desuper quietantias et exonerationes in forma dandi, detentores et debitores bonorum rerum fructuumque reddituum proventuum jurium decimarum et emolumentorum hujusmodi parrochialium ecclesiarum predictarum firmarios et factores predictos coram quibuscunque aliis judicibus spiritualibus vel temporalibus competentibus conveniendi et eorum quemlibet in forma juris prosequendi, et si opus fuerit pro

eisdem namandi et distringendi, ceteraque omnia alia et singula faciendi dicendi gerendi et exercendi que in premissis et circa ea necessaria fuerint seu etiam quomodolibet oportuna, et que ad officium yconomi de jure vel regni consuetudine pertinere quovismodo dinoscuntur, unumquoque vel plures procure seu procures vel factores loco sui substituendi et ordinandi ratum gratum atque stabile habendi et habituri totum et quicquid dictus yconomus seu sui procures substituendi plures aut unus in premissis seu eorum aliquis rite duxerit seu duxerint faciendum. Quocirca universis et singulis viris ecclesiasticis curatis et non curatis per civitatem et diocesim nostras Glasguenses ubilibet constitutis in virtute sancte obedientie et sub pena suspensionis a divinorum celebratione in hiis scriptis sententie late districte precipiendo mandamus quatenus legittime et in genere necnon nominatim per se respective et in specie prout per prefatum yconomum vel suos procures seu factores plures aut unum prout super hoc requisiti fueritis seu alter vestrum fuerit requisitus omnes et singulos utriusque sexus predictarum omnium et singularum parrochialium ecclesiarum dicto monasterio de Melrois spectantium et infra nostram diocesim Glasguensem consistentium necnon respective parrochianos earundem intromittores et astrictos in hac parte cum aliquibus fructibus redditibus proventibus juribus decimis obventionibus et emolumentis earundem parrochialium ecclesiarum predictarum quocunque jure vel titulo intromittentes cujuscunque dignitatis status gradus ordinis vel conditionis fuerint primo secundo tertio et peremptorie trina vice unico tamen contextu et pro triplici edicto, quos nos et eorum quemlibet expresse monemus quatenus visis presentibus indilate a die date presentium prefato Magistri Joanni Hepburne yconomo predicto vel suis procuribus seu factoribus in hac parte pluribus aut uni ad hoc ab eo deputatis seu deputandis de universis et singulis fructibus redditibus proventibus juribus decimis garbalibus et aliis decimis minutis obventionibus et emolumentis omnium et singularum parrochialium ecclesiarum tam rectoriarum quam vicariarum

earundem respective necnon de fructibus juribus et decimis hujusmodi annuatim percipiendis et solvendis prompte pareant respondeant obediant et efficaciter intendant et quilibet eorum per se respective prompte pareat respondeat obediat et efficaciter intendat et nulli alteri sibi que et suis procuribus camerariis seu factoribus antedictis de omnibus et singulis tam pecuniarum quam victualium summis aliisque rebus et bonis decimis garbalibus obventionibus et emolumentis predictarum omnium et singularum parrochialium ecclesiarum infra nostram diocesim consistentium ut predicitur quovismodo per eos in futurum levandis et recipiendis plenarie et integre satisfaciant et persolvant et quilibet eorum satisfaciat et persolvat realiter et cum effectu sub pena excommunicationis majoris quam in ipsos et eorum quemlibet monitionibus hujusmodi non parentes exnunc prout extunc et e contra trina canonica monitione premissa ferimus et promulgamus in hiis scriptis et quos wos [*sic*] sic excommunicatos eorum parrochialibus ecclesiis et aliis locis publicis solempniter publice denuncietis, a dicta denunciatione non cessantes donec de universis et singulis fructibus redditibus proventibus decimis garbalibus obventionibus et emolumentis omnium et singularum ecclesiarum parrochialium predictarum necnon de fructibus et decimis hujusmodi ac terris ecclesiasticis et aliis annuatim prefato yconomo vel suis procuribus camerariis seu factoribus in hac parte pluribus aut uni antedictis plenarie et integre satisfactum et persolutum fuerit, et aliud a nobis habueritis in mandatis, exonerantes insuper omnes et singulos alios yconomos dicti monasterii per nos aut nostros vicarios generales prius constitutos presentium per tenorem; et presentes debite executas earundem latori reddatis. Datum sub sigillo nostro rotundo ac subscriptione nostri secretarii, apud Edinburgum die tertio mensis Augusti anno Domini millesimo quingentesimo quinquagesimo nono et nostre consecrationis anno septimo. Per dictum reverendissimum dominum Archiepiscopum Glasguensem.' (f. 34.)

(*Translation*)

Copy of the Letters conferring the office of Iconomus of Melrose upon Mr. John Hepburn, rector of Dalry.

James, by the mercy of God, Archbishop of Glasgow, to all and sundry the sons of holy mother Church to whose notice these present letters may come, greeting, with the divine blessing. Whereas it devolves upon us in our pastoral capacity to depute, create, appoint, make and ordain iconomi over those ecclesiastical benefices within our diocese, chiefly those monasteries or abbacies deprived for the time of their abbots, and the parish churches annexed, united to and incorporated with them, and having entire faith in the prudence, discretion, learning, and purity of life and manners of a venerable man Mr. John Hepburn, rector of Dalry, and for other reasonable causes moving us thereto, we therefore by the tenor of these presents, at the request and direction of her most Serene Highness Mary, Queen Dowager, Regent of this realm, intimated and expressed to us in virtue of our office as ordinary in that part, do make, appoint, depute, create and ordain him iconomus over all and sundry parish churches both parsonage and vicarage being within our diocese, united to and incorporated with the monastery of Melrose now destitute of an abbot, with the fruits, rents, profits and pertinents, annexes and connexes, of the said parish churches both parsonage and vicarage, during the vacancy in the said monastery of Melrose, and until the lawful appointment and provision of an abbot or commendator thereto by apostolic authority, in answer to the request of their most serene Majesties the King and Queen of Scotland, Dauphin and Dauphiness of Vien: Giving therefore and granting to the said iconomus our free, entire and absolute power and special warrant to go to all and sundry the foresaid parish churches being within our diocese, and there to take cognisance of the administration and disposal of the fruits, rents, rights and tithes of all and sundry the said parish churches, and to call before him the farmers, factors, and intromitters therewith, and to quit-

claim and exoner them for what they have received and uplifted from the date of these presents and shall uplift and receive in time coming, and likewise if need be to compel them to make account, computation and reckoning for all fruits, intromitted with and received by them or any of them as aforesaid after the date of these presents or to be intromitted with and uplifted by them in time coming from all and sundry the parish churches being within our diocese, until a new abbot or commendator is by our authority canonically provided, and to reduce the accounts and reckonings of the farmers or factors to writing, and to appoint new factors, farmers and intromitters anent the said parish churches as often as he shall see needful, and dismiss their predecessors as accords of the law, and to ask, uplift, exact and receive all such sums of money and victual and other commodities and goods from the said parish churches after the date of these presents, as is aforesaid, and grant formal discharges and acquittances thereupon, and to summon and prosecute in terms of law before whatsoever competent judges spiritual or temporal, the farmers and factors foresaid withholding and owing the said goods, commodities, fruits, rents, profits, rights, tithes and emoluments of the foresaid parish churches, and if need be to poind and distrain for the same, and all and sundry other things to do, say, perform and exercise which shall be needful or any way applicable in and concerning the premises and which in any wise are considered by law or usage of the realm to pertain to the office of an iconomus; with power also to appoint and ordain procurators or factors one or more in his stead; holding and to hold sure, firm and stable all and whatsoever things the said iconomus or his substitutes one or more, or any of them, shall justly cause to be done in the premises. Wherefore we by these letters strictly and imperatively command and ordain all and sundry churchmen with and without cure wheresoever they reside within our city and diocese of Glasgow, in token of holy obedience and under pain of suspension from the celebration of divine ordinances, that as ye or either of you shall be generally and specially required hereto by the said

iconomus or his factors ye cause warn all and sundry parishioners and others of both sexes effeiring to the foresaid parish churches and bound in payment of the rents, fruits, tithes, etc. thereof, promptly to obey, answer, satisfy and pay the same to them and to none other, under pain of the greater excommunication, etc. And we hereby exoner all and sundry other iconomi of the said monastery formerly appointed by us or our vicars general. Given under our round seal and the subscription of our secretary, at Edinburgh, 3rd August 1559, and seventh year of our consecration.

'Contractus inter Commendatarium et Episcopum Candide Case.

'Universis et singulis ad quorum noticias presentes litere pervenerint, salutem in Domino. Sciatis nos A. C. etc. Commissarium ac procuratorem et eo nomine in hac parte venerabilis domini Jacobi permissione divina Commendatarii perpetui monasterii de Melrose ad effectum subscriptum specialiter deputatos de expresso consensu conventus unanimiter capitulariter congregati commodo et utilitate ejusdem monasterii undique previsis pensatis et intellectis longo tractatu et matura deliberatione prehabitis et pro extinctione litium et anfractuum inter dictum dominum Commendatarium et conventum dicti monasterii de Melrose ab una et reverendum patrem Andream miseratione divina Episcopum Candidecase ac Capelle Regie Stroveling partibus ab altera de et super pensione annua mille mercarum monete regni Scotie de fructibus dicti monasterii per eum quoad vixerit levanda et percipienda sibi auctoritate apostolica reservata et constituta, fecisse constituisse et ordinasse necnon per presentes facere et constituere et ordinare dictum reverendum in Christo patrem Andream, Episcopum Candidecase et Capelle Regie Stroviling, pensionarium predictum, nostrum indubitatum ac irrevocabilem cessionarium et assignatum ac procuratorem in rem suam modo et forma ut sequitur viz. In et ad integras annuas pensiones wlgariter *the hale malis* terrarum in feodifirma et terrarum in assedatione locatarum

vell in rentali seu occupatarum absque assedatione seu quibuscunque aliis viis seu modis de omnibus et integris terris de Kylismure et Barmure cum pertinentiis, ac in et ad omnes et singulas annuas pensiones seu wulgariter *the malis* molendinorum earundem terrarum, et in et ad proficua manerie seu grangie earundem wulgariter *the manes thairof* exceptis grangie seu manerie wulgariter *the manes* contente et specificate in dicti reverendi patris bullis apostolicis sue pensionis antedictis, exceptis etiam uno molendino wulgariter nuncupato *the Haucht mylne* et quatuor prediis wlgariter nuncupatis *the four bow stedingis wiz.* Blanekip Blairmallauch Overvallwod Neder wollwod, quequidem quatuor predia fuerunt perprius in manibus dicti monasterii occupate cum suis propriis bonis tempore quo idem reverendus pater olim abbas dicti monasterii eandem abbatiam dimisit et promotus fuerit ad dictum episcopatum, et hoc pro summa seu contentatione summe quadringentarum mercarum usualis monete predicte, ac in et ad integras pensiones annuas seu redditus et firmas wulgariter *the hale malis and fermis* terrarum de Monkland et molendini earundem ac omnium aliarum terrarum et decimarum cum suis pertinentiis in Carik dicto monasterio pertinentium et spectantium, ac in et ad omnes pensiones annuas seu redditus wulgariter *the malis* omnium terrarum in Nythisdale cum pertinentiis et molendini earundem dicto monasterio similiter pertinentes, unacum viginti libris annui redditus pensionis et firme wulgariter *ferme and yeirlie male* integre demedietatis fructuum ecclesie de Dunskor etiam dicto monasterio pertinentis, ac in et ad summam tricentarum mercarum monete predicte annue redditus seu annue pensionis et firme vulgariter *ferme and male* ecclesie de Ochiltri pro qua summa dicta ecclesia seu fructus ejusdem assedatur seu assedantur in assedationem dicto monasterio, et hoc in completam satisfactionem et annuam solutionem in futurum dicte integre pensionis annue mille mercarum pro omnibus diebus vite dicti reverendi patris durante tempore bulle sue et pensionis apostolice antedicte, incipiendo ad solutionem dicte pensionis annue in festo Sancti Martini proxime sequenti et pro solu-

tione termini seu festi Divi Michaelis Archangeli proxime et immediate sequentis datam presentium : Transferendum in eundem reverendum patrem suos procuratores factores suo nomine omne jus juris titulum proprietatem et possessionem que quod seu quem prefatus Commendatarius seu nos conventus predicti habet habuimus vel habemus seu in futurum habere poterit vel poterint in et ad omnes et singulas firmas sive annuas pensiones pecuniarum summas terrarum et ecclesiarum ac molendinorum predictarum durante vita dicti reverendi patris secundum formam et tenorem cujusdam contractus seu appunctuamenti inter dictum dominum Commendatarium et reverendum patrem pensionarium ab una et altera partibus desuper confecti manibus earundem subscripti, necnon secundum vim et tenorem commissionis dicti Commendatarii mihi prefato commissario ad effectum prescriptum derecte, prout in eisdem plenius dicitur conteneri, cum potestate dicto reverendo patri suisve factoribus et procuratoribus pluribus vel uni cum dictis firmis annuis pensionibus pecuniarum summis ac aliis proficuis terrarum ecclesiarum et molendinorum predictarum libere et pacifice intromittendi et desuper ad sue voluntatis libitum disponendi annuatim et terminatim in futurum quoad vixerit secundum tenorem dicte provisionis apostolice sibi desuper concesse et reservate : Proviso quod casu quo annue pensionis seu redditus wulgariter *the yeirlie malis* dictarum terrarum de Kylismur Barmuir molendinorum et proficuorum earundem exceptis grangia *lie manis* nuncupata et exceptis dictis molendino et quatuor prediis wlgariter nuncupatis *Hauch mylne* et *le Bowsteidingis* supradictis extendant ad majorem summam seu majores summas ultra seu supra dictam summam quadringentarum mercarum annuatim, in hoc casu dictus reverendus pater infra tres menses proxime sequentes ejus regressum ad partes Scotie per suas literas faciendas in debita forma sub ejus sigillo et subscriptione renunciabit quitclamabit et exonerabit tantum dictorum reddituum wlgariter *samekill of the yeirlie malis* dictarum terrarum et proficuorum ac molendinorum de Kylismur et Barmuir ac presentem assignationem earun-

dem eatenus quatenus firme seu annui redditus predicti extendant [*sic*] dictam summam quadringentarum mercarum monete regni predicti eatenus exonerabit ut supra, et post hinc non intromittet in futurum cum majori summa nisi cum dicta summa quadringentarum mercarum de annuis pensionibus redditibus seu firmis wlgariter *malis* antedictis, et pro eo quia hujusmodi annui redditus seu *malis* precise assignantur dicto reverendo patri pro dicta summa quadringentarum mercarum annuatim sibi solven. precise et interim ante regressum dicti reverendi patris ad partes Scotie factores ejusdem refundat. iterim dicto Commendatario et suis factoribus dictam excrescentiam cum qua contingerit factores dicti reverendi patris intromittere ultra et citra dictam summam quadringentarum mercarum annuatim de terris et molendinis antedictis levandam, antedicti reverendi patris introitus ad recipiendum solutionem sive pensionis annue termini Sancti Michaelis proxime anno Domini etc. lij°. in et ad dictam assignationem annuorum reddituum predictorum erit in festo Sancti Martini in hyeme proxime inde sequente, et ynetroitus solutionis ejusdem de fructibus dicte ecclesie de Ochiltre erit in festo Omnium Sanctorum anno Domini etc. liij°. et post hinc hujusmodi annui redditus wlgariter *lie fermis and malis* leventur per dictum reverendum patrem seu ejus servitores annuatim ad terminos usitatos et consuetos: Ac proviso quod non obstante dicta assignatione licitum erit dicto Commendatario ad concedendum feodifirmas locationes rentalia imponendum et extraponendum wlgariter *input and output* tenentes et firmarios dictarum terrarum molendinorum et ecclesiarum adeo libere prout dictus Commendatarius prius facere seu concedere poterat ante confectionem dicte assignationis, et quod precipiet in futurum omnia et singula proficua que contingant seu dicto domino Commendatario pertinent de hujusmodi terris molendinis et ecclesiis pro assedatione feodifirma seu gressuma earundem wlgariter *gerssme enter silver rentale silver pultre kane foulis arrage carage* tennendriis cum omnibus et singulis aliis emolumentis earundem in toto vel in parte, sic quod dictus reverendus pater nullum

habebit jus nec intromissionem cum hujusmodi terris molendinis et ecclesiis nisi cum dictis annuis redditibus wlgariter *the malis* dictarum terrarum molendinorum et ecclesiarum tantum prout hujusmodi terre molendina et ecclesia nunc locantur; et casu quo ejusmodi terre ecclesie et molendina locantur pro majoribus summis seu majoribus proficuis seu in feodifirma sive in locatione ultra annuos redditus sive annuas pensiones et firmas wlgariter *for mair malis or fermes* quam nunc de presenti solvant augmentatio et ex crescentia earundem perveniet ad dictum Commendatarium et suos successores: Ac proviso quod in omnibus locatione rentalis concessione seu quacunque alia dispositione brevi vel longo tempore dictarum terrarum ecclesiarum et molendinorum per dictum Commendatarium seu successores suos in futurum fiendis quod expresse provideatur quod hujusmodi firme annue pensiones et proficua predicta contenta in dicto contractu seu presenti assignatione solvantur prout occupatores et tenentes dictarum terrarum ecclesiarum et molendinorum dicto reverendo patri pensionario antedicto prout de presenti solvunt durante vita ejusdem secundum formam dicte sue provisionis apostolice et contractus antedicte. Et proviso quod non obstante dicta assignatione ut predicitur quod non erit licitum dicto reverendo patri ad faciendum quoscunque factores ad recipiendum et levandum dictos annuos redditus et proficua altioris seu dignioris gradus quam dicti reverendi patris domestici familiares servitores nunc de presenti existunt seu altioris gradus quam servitores dicti reverendi patris fuerunt ullo tempore preterito post suam promotionem ad dictum episcopatum, et similiter quod non erit licitum dicto Commendatario seu ejus successoribus ad locandum dictas terras molendina ecclesias in toto vel in parte durante dicta assignatione in feodifirma locatione seu rentali nec desuper ullo modo disponere quibuscunque aliis personis nisi tenentibus nunc occupantibus earundem et nullis altioris seu dignioris gradus habentibus fortius jus seu *lie kyndnes* in seu ad hujusmodi terras ecclesias seu molendina, secundum usum et consuetudinem dicti nostri monasterii; et casu quo dictus Commendatarius per se

ipsum seu alios ejus nomine satisfacere et persolvere contingat dictam pensionem annuam mille mercarum dicto reverendo patri aut suis procuratoribus habentibus suam potestatem et facultatem ad eandem pensionem recipiendam ad terminos Divi Michaelis Archangeli et Pasche in dicta provisione seu bulla pensionis specificatos seu infra treginta dies post quemlibet terminii in futurum infra burgum de Edinburgh, in hoc casu non erit licitum reverendo patri ac suis factoribus intromittere cum quibuscunque summis seu firmis in dicta assignatione contentis; proviso etiam quod quamprimum contingerit dicto Commendatario deficere in solutione dicte pensionis annue summe mille mercarum antedicte infra trigenta dies post quemlibet terminum, quod in hoc casu post hinc erit licitum dicto reverendo patri et suis factoribus libere intromittere cum terminorum Sancti Martini et Penthecostes annuis redditibus et firmis wlgariter *firmes and malis* antedictis proxime exinde sequentium post terminos solutionis in dicta bulla provisionis resignationis pensionis antedicte contentos, etc. Et similiter cum proficuis ecclesie de Ochiltre in futurum durante vita dicti reverendi patris secundum tenorem dicte sue bulle provisionis, sic quod non erit licitum post hinc dicto Commendatario secludere seu excludere dictum reverendum patrem a sua intromissione cum hujusmodi suis fermis annuis redditibus proficuis dictarum terrarum ecclesiarum et molendinorum antedictarum in dicto contractu specificatis in futurum, quamvis dictus Commendatarius offerre velit solutionem dicte pensionis annue post hinc, sed quod dictus Episcopus et factores in futurum intromittant cum hujusmodi firmis et annuis redditibus propter defectum solutionis dicte pensionis annue ad certum terminum; cum omnibus aliis talibus [?] rebus in dicta assignatione contentis, secundum tenorem dicti contractus. Ac item quod dictus reverendus pater renunciabit quitclamabit et exonerabit omne jus et interesse quod ipse habere poterat virtute dicte assignationis in et ad summam tricentarum mercarum levan. annuatim de fructibus dicte ecclesie de Ochiltre quamprimum contingat dictum Commendatarium ad deliber-

andum dicto reverendo patri aliam sufficientem assignationem sub simili securitate et simili forma in quocunque alio loco ad discretionem et arbitrium dicti reverendi patris seu ad inveniendum dicto reverendo patri sufficientes cautionarios dominos hereditarios actitatos in libris Consilii S. D. N. Regine et pro annua solutione dicte summe tricentarum mercarum ad consuetos terminos prout dicta summa tricentarum mercarum solita fuit persolvi et pro dicta ecclesia et quod dictus reverendus pater acceptabit dictam assignationem in completam satisfactionem et solutionem dicte sue pensionis mille mercarum annue et pro omnibus terminis futuris sic quod non erit sibi licitum ad exigendum et prosequendum dictum Commendatarium pro solutione dicte sue pensionis annue nec ad utendum seu exequendum processus excommunicationis nec ad deprivationis penam nec quascunque alias penas in dictis suis bullis provisionis contentas ob non solutionem hujusmodi pensionis in futurum. Proviso etiam quod dictus Commendatarius non fecit nec faciet in futurum prejudicium dicte assignationis seu actitationes cujus contingat aliquod obstaculum seu impedimentum dicto reverendo patri oriri ad habendum seu recipiendum bonam et gratuitam solutionem omnium punctorum in presenti assignatione contentorum; et casu quo dictus Commendatarius ullo tempore preterito fecit seu in futurum facere contingat quodcunque prejudiciale presenti assignationi seu quare contingat dictum reverendum patrem habere illud obstaculum seu impedimentum, quod in hoc casu prout extunc et e contra non obstante dicta assignatione licitum erit dicto reverendo patri ad utendum suis processibus in dictis suis bullis provisionis apostolice pensionis antedicte ob non solutionem hujusmodi pensionis annue pro omnibus terminis futuris post datam dicti contractus contra dictum Commendatarium et suos successores adeo libere sicut presens assignatio facta non fuerit, excepta duntaxat summa tricentarum mercarum pro uno anno proxime sequenti datam dicti contractus de ecclesia parochiali de Ochiltre seu fructibus ejusdem alias per dictum Commendatarium exposit.; et quod non obstante

dicta assignatione dictus reverendus pater tribuat et solvat pro rata sue pensionis suam partem ominum impositionum contribucionum taxarum et onerum quaruncunque faciendorum seu imponendorum dicto monasterio de Melrose omni tempore futuro post confectionem dicte assignationis propter quascunque causas seu actiones occurrentes seu contingentes post hinc unde aliqua pars dicte pensionis minor seu major inventa fuerit defalcanda et redigenda ad majorem summum seu contributionem secundum formam et tenorem dicte bulle provisionis apostolice pensionis antedicte adeo libere sicut dicta assignatio facta non fuerit etc. Proviso etiam quod dictus reverendus pater in futurum non faciet aliquam contributionem seu defalcationem dicte sue pensionis annue in toto vel in parte pro reparatione et edificatione dicti monasterii alias combusti et distructi nec pro quibuscunque aliis causis seu actionibus preteritis datam dicti contractus precedentibus, et quod confectio dicte assignationis pro solutione dicte pensionis in futurum non faciat magis seu fortius jus dicto reverendo [patri] penes dictum suum titulum provisionis sue antedicte ultra jus jam sibi nunc acquisitum vigore dictarum suarum literarum apostolicarum, et quod dicta assignatio non prejudicet dicto Commendatario nec faciet eidem obstaculum seu impedimentum ad effective prosequendum annullationem reductionem et cessationem dicte pensionis annue magis quam prius potuit ante confectionem dicte assignationis seu pensionis appunctuamenti, etc. Et quod dictus Commendatarius actitabit se per suum commissarium seu procuratorem infra datam dicti contractus et octavum diem Septembris proxime sequentem ad deliberandum dicto reverendo patri summam tricentarum mercarum monete predicte pro solutione primi anni assignationis predicte de fructibus dicte ecclesie de Ochiltre viz. centum et quinquagenta mercas die primo mensis Novembris proxime sequentis anno Domini etc. lij°. et aliam summam centum quinquagenta mercarum monete Scotie predicte infra hinc et primum diem mensisMaii anno Domini etc. liij°. Proviso etiam quod casu quo contingat dictum Commendatarium persolvere dicto reverendo patri dictam summam

quincentarum mercarum ad festum Divi Michaelis proxime sequens anno Domini etc. lij°. vel infra trigenta dies proxime inde sequentes pro plenaria et integra solutione illius termini solutionis pensionis antedicte, quod tunc in hoc casu idem Commendatarius non tenebitur persolvere dictam summam centum quinquagenta mercarum pro quibus contingerit [*sic*] eundem actitari persolvere dicto primo die mensis Novemberis, non obstante dicto acto; et similiter casu quo contingat eundem commendatarium persolvere dicto reverendo patri dictam summam quincentarum mercarum ad festum Pasche proxime sequens seu infra trigenta dies proxime inde sequentes in plenariam et completam solutionem dicti termini, quod tunc in hoc casu non tenebitur persolvere dictam summam aliam quinquagenta [*sic*], mercarum pro qua contingat eundem actitari persolvere dicto primo die mensis Maii, non obstante dicto acto; ac proviso quod confectio dicti contractus seu actorum penes solutionem dicte summe trium millium mercarum pro dicta pensione omnium terminorum preteritorum quatenus dicto reverendo patri debetur seu quatenus per eum exigi poterat in preteritum, et similiter penes solutionem dicte summe tricentarum mercarum pro fructibus dicte ecclesie de Ochiltre penes solutionem summarum in dictis actis specificandis, non faciat magis jus dicto reverendissimo patri penes titulum dicte sue pensionis annue plus quam idem reverendus pater de presenti habet virtute dicte sue provisionis apostolice ad eandem, et quod confectio dicte contractus et actorum predictorum desuper conficiendorum non prejudicent commendatario predicto nec faciat eidem aliquod obstaculum seu impedimentum ad prosequendum annullationem invaliditatem reductionem et cessationem dicte provisionis apostolice penes reservationem dicte pensionis annue etc. prout latius in dicto contractu dicitur contineri, de data Parisiis die xiii°. mensis Maii anno Domini j^{m}v^{c}lij°. Ac demum proviso quod presens assignatio extendatur restringatur limitetur ac intelligatur in omnibus et per omnia conformiter ad dictum contractum initum et factum Parisiis inter prefatum reverendum patrem Episcopum Candide

Case ex una et dictum dominum Commendatarium partibus ab altera de data predicta, et quod eadem assignatio tantam habeat fidem vim et effectum ac si hujusmodi contractus date antedicte totaliter de verbo in verbum in presenti assignatione insertus fuerit in uberiori forma. In cujus rei testimonium presentibus manu mei commissarii antedicti necnon manibus predicti conventus subscribentis sigillum comune prefati monasterii de Melrose est appensum, apud etc.'

'Dominus Johannes Dury manu propria.' (f. 38.)

(*Translation, abridged in part*)

Contract between the Commendator [of Kelso and Melrose] and the Bishop of Whithorn.

To all and sundry to whose notice these present letters may come, greeting in the Lord. Know ye that we A. B. as Commissary and procurator and as representing in that behalf a venerable lord, James, by divine permission perpetual Commendator of the monastery of Melrose, and for the effect under written specially appointed, with express and unanimous consent of the convent chapterly assembled, the welfare and advantage of the said monastery being from all sides carefully considered and understood, after long discussion and mature deliberation, and for the removal of law-pleas and controversies between the said Lord Commendator and convent of the said monastery of Melrose on the one part and a reverend father Andrew, by the mercy of God, Bishop of Whithorn and of the Chapel Royal at Stirling, on the other part, regarding a yearly pension of 1000 merks of Scots money exigible and upliftable by him during his lifetime from the fruits of the said monastery, by apostolic authority reserved and appointed for his use, have made, appointed and ordained, likeas by these presents we make, appoint and ordain the said reverend father in Christ, Andrew, Bishop of Whithorn and of the Chapel Royal at Stirling, pensioner foresaid, our undoubted and irrevocable cessioner, assignee and procurator in manner and to the effect as hereafter follows, viz., in and to the 'hale malis' of all and whole the

lands of Kylismure and Barmure, with pertinents, whether held in feufarm and in tack or in rental and without tack or any other wise, and in and to all and sundry yearly pensions or 'malis' of the mills of the said lands, and in and to the profits of the manors or granges, called the 'mains,' of the said lands, except the 'mains' contained and described in the papal bulls for the said reverend father's pension, and excepting a mill called the Haugh mill and four meadows called 'the four bow stedingis,' viz. Blanekip, Blairmallauch, Overvallwod, and Netherwollwod, which four meadows were formerly in the hands of the said monastery and plenished with their own goods at the time when the said reverend father, sometime abbot of the said monastery, demitted the said abbacy and was promoted to the said bishopric; and this for satisfaction of the sum of 400 merks money foresaid; and in and to the whole yearly pensions or 'hale malis and fermis,' of the lands of Monkland and mill thereof, and of all other lands and teinds in Carrick, with pertinents, belonging and pertaining to the said monastery, and in and to all yearly pensions or 'malis' of all lands in Nithsdale, with pertinents, and mills thereof, likewise belonging to the said monastery, together with 20 l. of 'ferme and yeirlie male' of the half of the whole fruits of the kirk of Dunscore also pertaining to the said monastery, and in and to the sum of 300 merks money foresaid of yearly 'ferme and male' of the kirk of Ochiltree, for which sum the said church or the fruits thereof were set in tack by the said monastery, and this in complete satisfaction and yearly payment in time coming of the whole yearly pension of 1000 merks for all the days of the lifetime of the said reverend father during the period of his papal bull and gift of pension foresaid; beginning the payment of the said yearly pension at Martinmas next, and that for the term of Michaelmas following the date of these presents: Transferring in the said reverend father, and his procurators and factors in his name, all right, title of right, property and possession which the foresaid Commendator or we the said convent had, have or might have had in time coming in and to all and sundry fermes or

yearly pensions and sums of money out of the lands, kirks and mills foresaid, during the lifetime of the said reverend father, in terms of a contract or appointment, dated at Paris, 14th May 1552, made thereupon between the said Commendator and the reverend father pensioner, and subscribed with their hands, and in terms of the commission directed by the said Commendator to me the foresaid Commissary for the effect foresaid, as in the same is said to be more fully contained; with power to the said reverend father or his factors and procurators one or more freely and peaceably to intromit with the said fermes, yearly pensions, sums of money and other profits of the lands, kirks and mills foresaid, and to dispone thereupon at his pleasure, yearly and termly in time coming during his lifetime, in terms of the said apostolic provision made and granted to him thereupon: Provided that in case the yearly pension or maills of the said lands of Kylesmuir, Barmuir, mills and profits thereof, excepting as aforesaid, shall extend to a greater sum than the foresaid sum of 400 merks yearly, in that event the said reverend father shall, by his letters made in due form under his seal and subscription, within three months after his return to Scotland renounce, quitclaim and discharge so much of the said rents or yearly maills of the said lands, profits and mills of Kylesmuir and Barmuir as shall be in excess of the said sum of 400 merks presently assigned, and thenceforward shall not intromit with a greater sum furth of the said yearly pensions, rents or maills, than the said sum of 400 merks, and his factors shall account to the Commendator and his factors for any such surplus year by year, his entry to the receipt of the said pension for the Michaelmas term 1552 to be at Martinmas next, and his entry to the fruits of the kirk of Ochiltree to be at Alhallowmas 1553, and thereafter the same to be payable year by year at the terms used and wont. It is also provided that notwithstanding this assignation it shall be lawful to the said Commendator to grant feu charters, tacks, and rentals, and input and output tenants and farmers of the said lands, mills and churches, as freely as he was able to do before the making

of this assignation, and to uplift and receive from the said subjects all and sundry profits, tack duties, grassum, entry silver, poultry, kain fowls, arreage and carriage, etc., which pertain and belong to him, so that the said reverend father shall have no right to intromit with the said subjects further than for payment of his yearly pension foresaid; and in the event of the subjects being leased for greater sums than they now pay, the increase and augmentation shall pertain to the said Commendator and his successors. It is also arranged that in any tacks or dispositions of the said subjects for longer or shorter periods it shall be expressly provided that the said yearly pension shall be paid by the tenants and occupiers in the terms hereby appointed during the lifetime of the said reverend father. Further, the said pensioner may not appoint as his factors for receiving the said annual rents and profits any person of higher degree than his present domestic servitors, or of higher degree than any servitors he had before his promotion, and likewise the Commendator and his successors may not set the said subjects in tack or rental to tenants of any higher degree or greater 'kyndnes' than those tenants now occupying the same, conform to the use and custom of our said monastery. Again, if the Commendator or any in his name pay the said pension to the said reverend father or his factors at the terms of Michaelmas and Easter, or within 30 days thereafter, the pensioner shall not then have recourse to the rents and fruits above assigned, but only in the event of nonpayment of the pension be entitled to intromit with these rents and maills for the Martinmas and Whitsunday terms thereafter respectively ensuing. Further, the said pensioner shall be held to resign his right of 300 merks furth of the fruits of the kirk of Ochiltree at such time as the Commendator shall make to him a sufficient and similar assignation to some other place or shall find sufficient caution in the books of Council for yearly payment of the said sum of 300 merks. If at any time the Commendator make obstruction to the fulfilling of all the premises, the pensioner may take legal proceedings against him for performance thereof according to his

bull of provision, but a year must elapse as to the 300 merks payable from the kirk of Ochiltree and fruits thereof, which have been otherwise farmed out by the said Commendator. Moreover, notwithstanding this assignation, the said reverend father shall pay his proportion, effeiring to his pension, of all taxes, contributions, levies and burdens imposed upon the said monastery of Melrose in time coming after the date of the said assignation for whatsoever cause or fact that shall arise; provided however, that he shall not be liable for any contribution towards repair of the ruined and burned edifice, or for any actions or causes prior to the date of this assignation. This assignation, moreover, shall not confer or imply any further title or strengthening of the right of the said reverend father beyond what is contained in his bull of provision, nor shall it militate against or prejudge the right of the said Commendator to pursue for reduction and cancelling of the said pension, further than if this present assignation and agreement had not been made. Also the Commendator shall enact himself between this date and 8th September next by his commissary or procurator to deliver to the said reverend father the sum of 300 merks for satisfaction of the first year's pension assigned furth of the kirk of Ochiltree, viz. 150 merks on 1st November next (1552) and 150 merks between then and 1st May 1553; which sums, however, shall not be so paid if the Commendator have made satisfaction of the full sum of 500 merks at either of the terms of Michaelmas or Easter as before arranged, or within thirty days thereafter. The payment of 3000 merks due to the said reverend father for bygone terms of his pension, and the payment of the foresaid 300 merks for the fruits of the kirk of Ochiltree, shall likewise not import a further title or strengthening of the pensioner's right beyond what is contained in his bull of provision, or prejudge the Commendator of his right to pursue as above for reduction of the said papal bull. And this assignation shall only extend and be limited, restricted, and understood in terms of the foresaid contract made at Paris between the said Commendator and Bishop, and shall have as great faith and

strength as if the said contract were word for word recited in the same. In witness whereof to these presents, subscribed with the hand of me Commissary foresaid and the hands of the said convent, the common seal of the said monastery of Melrose is appended at 'etc.'

Sir John Dury, with my hand.

xvij°. Februarii 1555. Dominus Thomas Mersar, supprior monasterii de Melrose. D. Willielmus Filp, Johannes Hogart, Thomas Meyn, Johannes Watsoun, Alexander Bellanden, Bernardus Bostoun, Johannes Fourhouse, conventus dicti monasterii, pesonaliter presentes, dictus supprior exposuit in vulgari, that now laitlie it was done him and the convent foresaid understand that ane chertour with ane precept of the landis of Morhouslaw, pertening to thame in propirte as thair patrimone, was thiftuuslie and fraudfullie *et surrepticie* selit in favouris of Johne Haliburtoun and his airis, and quhair the said supprior and convent affermit thame to have bene convenit thairupoun afor and because the settin in few of the sadis landis conforme to that minute of chertour was express in grete hurt of the proffect of the place, thai all togidder dissentit, thairfor the said supprior and convent allegeand thame nocht consentand to the samyn bot aluterlie dissentand, protestit for annullatioun and revocatioun of the said pretendit chertour sua fraudfullie and nocht heirefter to have place, strenthe, force, nor effect, bot all wayis the saidis landis to pertene to thame as properte to be disponit upoun heirefter as thai sall think expedient; and presentlie Dene David Hoppringill grantit that he knew the seling of the said chertour and was present at the seling of the samyn and helpit thairto, allegeand it was my Lordis will, as Mr. Walter Balfour shew to him, and schew it nocht to the said supprior and convent; upoun the quhilkis premissis the supprior forsaid protestit for all remed of law, and this present instrument to be extendit *in uberiori forma, Super quibus omnibus dictus supprior in presentia conventus peciit a me notario subscripto instrumentum seu instrumenta. Acta erant hec infra chameram Domini Willelmi Filp infra*

infirmitorium hora tercia post meridiem aut eo circa presentibus ibidem Domino Andrea Wrycht, canonico dominicali, Niniano Myldis, cum diversis testibus aliis ad premissis vocatis pariter et rogatis.' (f. 41.)

'*Decimo nono Junii 1556. In mei notarii ordinis subscripti presencia personaliter constituti Dene Thomas Mersar* [*supprior*] *Melrosensis, Willelmus Philp, Alexander Bellenden, et Johannes Watsoun, monachi et personaliter presentis* [sic], *dictus supprior nomine totius conventus exposuit ut sequitur in wulgari,* that in the samyn place and within the samyn presens he with the hale comunite of convent being convenit to treit upoun the besynes concernyng the wele of thair place, and to that effect had put in writ certane articlis to have bene considderit be my Lord Commendatare thair maister being present, and effectuuslie desyrit my said Lord Commendatar as become to his Lordships dewitey to have put the samyn to executioun to the honour of God, wele of this place, and as his Lordship was oblist be his promyss and utheris his letters obligatorioris; quha displesandlie and with furiosite wald nocht reid the said articlis bot raif thame and cast thame doun at his [*sic*], and that because the said supprior and convent wald nocht sele and subscrive ane unressonable chertour of few of thair teniment and lugyne biggit be the sumptuus expenses of thair predicessouris and to mak alienation perpetuall thairof in favouris of Gilbert Balfour, burgess of Edinburgh, the quhilkis lychtlyness displesour, and indescretioun the said supprior and brether requirit me notare underwrittin to be notit and gyf that herefter the said Gilbert Balfour be ony buyrd obtenis ony chertour or titill of rycht of the said supprior and convent that it will proced of compulsioun and that because as the supprior affermit gaif to him and the convent displesand wordis towart thair sustentatioun and lewing; and heirfor protestis for annullatioun gif sua happynnit of proceding of the said pretendit few be thair subscriptionis and sele of the samyn; and ferther protestit for him and the convent and thair successouris for remeid of law, and requirit the

saidis articlis rewin to be inserit and copiat sa fer as thai may be knawin, and to be heirefter producit, *quorum tenor sequitur sub hac forma* :—My Lord, Thir ar the thingis nocht fulfillit conforme to your Lordships promiss and wryting. In the first, quhair within ane monethe efter the date of the samyn writingis all our commoun office houses, as conventuale hall quhair we suld eit, kytschin, baikhouse, brewhouse, malthouse, to have beyn raparit with all necessaris as efferis, throcht inlak of the samyn the conventuale observance and ordinar ar nocht kepit.

'*Item*, quhair your Lordship hes nominat xvj breder to stand *futuris temporibus* for uphald of God service, and efter the last faderis deceis we requyrit your Lordship immediatlie therefter for admissioun of Georde Weyr, grantit be your Lordship for fulfilling of the numer forsaid for uphald of God service, and as yit na thing done thairto.

'*Item*, quhair it was appoyntit betuix your Lordship and us that of the first and reddyest pament of the compositioun of Kilismur by the xij^{c} merkis assignit for the redemptioun of Langlie and Wolhousbyr v^{c}. merkis suld have bene gewin to ane bruther of the place being maister of werk for reparatioun of the kirk and dourtour[?] and uther placis quhair maist neid is, and without the kirk be reparit this instant sommer God service will ceise in winter.

'*Item*, quhair your Lordship promist to have usit the counsall of us brether towart the wele of this place, your Lordship in sum part hes usit the contrare in the disponing of the placis leid to my Lord of Glasgow quhare our greter neid is of our awin kirk and uther placis.

'*Item*, quhair your Lordship suld have procurit all letters necessar, viz. the Quenis confirmatioun under the priva sele, the ordinaris letters in four formis, for ratificatioun of your Lordships assignatioun, and as yit nocht fulfillit.

'*Item*, quhair we lamentit the fraudfull seling of ane chertour of Murhouslaw in hurt of your Lordship and the place, quhair your Lordship promist to cause redelyver the samyn and the failyear to be tryit in the fraudfull seling thairof, and as yit nathing done thairto.

'My Lord, thir premissis being fulfillit as ane part of your Lordships promiss, to the honour of God, wele of this place, and as ane part of your Lordships dewitey, we salbe wele willing to your Lordship's plesour in all lefull and ressonable effaris to your Lordships wele and proffect and the profeit of the place.

'And heirefter allegit that throcht dreddour of greter inconvenientis to be done be my Lord forsaid postponit the requyring of this instrument quhill efter his departing, and protestit for extending of this instrument *in uberiori forma. Acta erant hec prope altare Sancti Johannis Baptiste hora decima ante merediem vel eo circa, presentibus ibidem Dominis Patricio Olifer et Alexandro Wrycht, sacllanis, ad premissa vocatis pariter et rogatis. Ita est Radulphus Hudsoun monachus Melrosensis et notarius ardinis manu sua signat.*' (f. 41.)

'*Septimo Octobris anno Domini 1555 personaliter constituta honorabilis domina* —— Ker, Domina de Cesfurd, resignit and gaif our to Thome Wallace all titill, rycht, and kyndness that scho had hes or any maner of way may have in and to ane tenement and aker of land with thair pertinence lyand in Litil Fordell quhilk pertenit to umquhyle Thome [? James or Jhone] Smyth and left be him in legasy to the said Lady as scho alleges, and that for ane soume of money to be payt be the said Thome Wallace to the said honorabill Lady, and to be extendit *in uberiori forma. Acta erant hec in ortum seu pomerium apud Hallidene circa horam secundam post meridiem, coram Domino Johanne Fourhouse et Roberto Wallace, cum aliis diversis.*'

(f. 41.)

'*vj^to^. Febuarii anno Domini 1556.*

'Maister William Schaw requyren the Den Thomas Mersar, supprior, and certane brether of Melrose being thair present, viz. Den Jhone Hoggart, Den Ralphe Hudson, Den Thomas Meyne, Jhone Watson, Alexander Bellenden, David Hoppringill, Bernard Bouston, Johannes Fourhouse, gyf upoun thair fre will thai consentit to the fewis of Kylismure to the tennentis thairof, the saidis

brether grantit thai consentit to the said fewis *sed conditionaliter* sua that my Lord Commendatar fulfill all maner of thingis promist to the said brether be his obligatioun for delyverance of soumis of money to the reparation of the place of Melrose destroyt be the army of Ingland conform to the speciall clause contenit in the said infeftmentis, and als all uther thingis for the quhilkis my Lord Commendatar become oblist conforme to his Lordship's letters gewin upoun the said appoynt[ment] and assignatioun for thair lewing, *et alias non*; protestand in case the said sowmis of money be nocht delyverit nor yit all uther conditionis fulfillit be the said appoyntment, the saidis infeftmentis sa fer as the said supprior and convent may do to be null, and for tym and place to be revokit sa fer as may of [law]. *Super quibus dictus supprior in presentia conventus peciit a me Domino Radulpho Hudsone notario ordinis instrumentum seu instrumenta. Acta erant hec infra ecclesiam Melrosensem infra insulam Sancti Martini hora ix^a. [ante] meridiem, coram hiis testibus, Magistro Waltero Balfour, rectore de Lintoun, Domino Willelmo Hammyltone, . . . Johanne Spotiswod, et dicto conventu. Radulphus Hudsoun monachus manu sua signat.*'

(f. 41.)

'The nynetene yeir tak of the kirk of Dunskore to Johnne Kirkpatryk.

'Be it kend till all men be thir present letters us James be the permissioun of God Commendatar of the Abbayis of Kelso and Melrose and convent of the said Abbay of Melrose with ane consent and assent cheptourlie gadderit, the utilite of us and our said abbay of Melrose previdit and considerit, and for ane certane soume of money payit and delyverit to us be our weilbelovit Johnne Kirkpatrik of Alisland to the reparatioun beting and mending of our said Abbay of Melrose brint be our auld inymeis of Ingland, to have set and be thir present letters settis and for male lattis to the said Johnne Kirkpatrik of Alisland and Thomas Kirkpatrik his sone and apperand air and to the langer levand of thame tua and to the said Thomas airis

male and assignais quhilkis failying to Robert Kirkpatrik, Roger Kirkpatrik, elder, William Kirkpatrik, Roger Kirkpatrik younger, Hary Kirkpatrik, Thomas Kirkpatrik and Rechert Patrik [*sic*] all brether to the said Thomas Kirkpatrik and sonnis to the said Johnne Kirkpatrik, ilkane broukand eftir utheris as thai ar ordourit and placit in this present tak, all and sundrye the teynd schevis frutis rentis proventis obventionis oblationis and emolumentis of our part of the paroche kirk of Dunskore siklyk as use and wount hes bene of before in all utheris our takkis thairof, lyand in Nithisdell within the schirefdome of Drumfreise, for all the space yeris and termis of nynetene yeris nixt and immediatlie following the feist of the Inventioun of the Halie Croce callit Beltene nixt to cum efter the day of the date heirof, quhilk feist and terme of Belten salbe thair entre in and to the tak and assedatioun of the saidis teynd schevis frutis rentis proffeitis obventionis oblationis and emolumentis of our part of the said kirk siclyk as use and wount hes bene of befor as said is, and therefter to indure and peceablie to be broukit be thame unto the ysche and full complete end of the saidis nynetene yeris, with power to the said Johnne Kirkpatrik of Alesland Thomas Kirkpatrik his sone and apperand air and to the langer levand of thame tua and to the said Thomas aires male and assignis quhilkis failyeing to the saidis Robert Kirkpatrik, Roger Kirkpatrik, elder, William Kirkpatrik, Roger Kirkpatrik younger, Hary Kirkpatrik Thomas Kirkpatrik and Rechert Patrik to intromet gadder and leid the saidis teynd schevis and thairupoun and upoun all uther furtis rentis proffettis obventionis oblationis and emolumentis of our part of the said kirk forsaidis during the saidis nynetene yeris to dispone at thair plesour frelie quietlie wele and in pece but ony revocatioun obstacle impediment or agane calling quhatsumever: Payand thairfor yeirlie during the saidis nyntene yeris the saidis Johnne Kirkpatrik Thomas Kirkpatrik his sone the longer levand of thame tua and the said Thomas airis male and assignais quhilkis failyeing the saidis Robert Kirkpatrik Roger Kirkpatrik elder William

Kirkpatrik Roger Kirkpatrik younger Hary Kirkpatrik Thomas Kirkpatrik and Rechert Kirkpatrik or ony of thame broukand as said is to us and our successouris abbottis or commendatoris and convent of our said abbay of Melrose the soume of tuentey pundis usuale money of Scotland at tua termis in the yeir *videlicet* the feist of Advincula Sancti Petri callit Lammes and Martimes in winter be ewin portionis alanerlie. And we forsuthe the saidis Commendatar and convent of the said abbay of Melrose and our successouris forsaidis the tak and assedatioun of all and sindry the frutis teynd schevis rentis proventis obventionis oblationis and emolumentis of our part of the said kirk siclyk as use and wount wes of befor in all utheris our takkis to the saidis Johnne Kirkpatrik Thomas Kirkpatrik his sone and to the langer levand of thame tua and to the saidis Thomas airis male and assignis failyeing to the saidis Robert Kirkpatrik Roger Kirkpatrik elder William Kirkpatrik Roger Kirkpatrik younger Hary Kirkpatrik Thomas Kirkpatrik and Rechert Kirkpatrik ilkane of thame browkand in maner forsaid als frelie quietlie in all and be all thingis as is abonewrittin during the saidis nynetene yeris aganis all deidlie as law will sall warrand acquiet and defend. In witnes of the quhilk thing to thir present letters of assedatioun subscrivit with our handis the common sele of our cheptour of the said abbay of Melrose is to hunging, at our said abbay the sevint day of Aprile the yeir of God ane thowsand fywe hundrethe fourty and aucht yeris. (*Sic subscribitur*) James, Commendatar of Kelso and Melrose; Thomas Merser, supprior; Willelmus Philp; Johannes Fourhouse; Bernardus Bouston; Kentigernus Purwes; Johannes Hogart; Johannes Watsoun; Thomas Meyn; Ricardus Patersoun; David Hoppringill; Radulfus Hudsoun; Alexander Bellenden.—The conventis compositioun for the samyn fourty pundis usuale money.' (f. 42.)

Tack to Thomas Wod, elder, Thomas Wod, younger, and William Wod, his sons, of the 40 s. land of 'Edmestoun Grange pertening to our walk mylln therof togidder with

the onsett of the said mylln and the gerss soumis pertenand to thame quhilkis ar exceppit in the Laird off Bass tak and assedatioun,' in the constabulary of Haddington for 19 years for the yearly payment of 40 s. Dated 8th April 1550. At the end of the above contract there is a note dated 18th May 1555 narrating that Thomas Wod appeared before the subprior and convent of Melrose and obliged himself notwithstanding any clauses in the above tack that he will use the said lands etc. in no other way than as his father and others enjoying the same had used them before; witnesses, William Ormestoun, William Wallace, Dande Viccaris, and others. (f. 42.)

Charter confirming a charter by Cuthbert Cranstoun of Manis to John Cranstoun his son and Margaret Douglas, his spouse, daughter of William Douglas of Quhitinghem, in terms of their contract of marriage dated — 1555, and the lawful heirs of their marriage, whom failing, the heirs male of the said John Cranstoun bearing the surname of Cranstoun, and failing them the heirs female of the said John Cranstoun whomsoever, of the lands of Moristoune with the manor place, in the sheriffdom of Berwick, which he holds in feu farm from the Commendator and convent of Melrose, for the yearly payment of four merks as the old rent and 10 s. in augmentation, with duplication. Dated at the manor house of Manis, — 1555; witnesses, John Cranstoun alias of Huntlie Woid, David Hoppringill, David Gray; Thomas Castallau and Alexander Castellaw. The charter of confirmation is dated at the monastery of Melrose, 6th July 1555. (f. 43.)

'*In Dei nomine, Amen, xxiij°. Augusti 1555.* Maister William Schaw, provest of Abirnethy, and servitour to my lord Commendatar of Kelso and Melrose, exponit how that it wes appoyntit betuix the said reverend lord on that ane part and Andro Haig, laird of Bemersyde, on that uther part, that aucht discrete men, viz. James Hoppringill of the Tynnes, elder, Maister William Schaw, provest of Abirnethy William Linlythquhow of Drygrange, and Den Raulphe Hudsoun, mounk of Melrose, nemmit for the part of the

said reverend lord, and Dand Haliburtoun of Mertoun, Wat Haliburtoun in Dryburgh, George Hoppringill in Smalemcraggis, and —— [*sic*], chosin for the part of the said Andro Haig of Bemersyde, suld considder the merchis betuix the landis of Rippethe and Crag as ane pertinentis of the said toun of Rippethe and the landis of Bemersyde, quhilkis aucht discrete men the forsaid day comperand upoun the ground and tretand thairupoun, the said Maister William Schaw, provest of Abirnethy, requyrit the said Andro Haig of Bemersyde gif he had ony boundand cherter or ewident that contenit the boundis and merchis betuix the saidis landis, quha playnlye affeirmit he had nane evident in that behalff, thairfor the said Maister William protestit that in sa fer as my lord Commendatare forsaid and convent of Melrose had ane chertour of perambulatioun specifying and contening the saidis merchis, and presentlie brocht and producit thair upoun the ground, that the samyn suld have place ay and quhill the said chertour of perambulatioun war reducit be ordour of justice, quhilk chertour of perambulatioun was of the date of the yeir of Our Lord j^{m}iiij^{c}xxv yeris under the selis of nobill worthy lordis and baronis, devidand the merchis betuix the saidis landis as efter followis, that is to say, Fra the Childe well abone passand up to the middis of the Threipleche to the standand stane, and fra the standand stane down the syk to the middis of the furd of Helden, and sua passand down the middis of the burn rynand aboute the bra and the dyk, the quhilk bray and dyke had quhylum a yet closand and opynand for the caring of the tymmer to the biging of the house of Dryburght, and sua fra the yet to the Hakkerstane corce, and this to all and sindry, etc. Quhilkis merchis was riddin be the forsaid four discrete men chosin be the said reverend Lord efter the tenour of the forsaid chertour of perambulatioun efter thair knawlege, in presence of mony discrete and worthy men. *Super quibus dictus Magister Willelmus Schaw nomine dicti Commendatarii et conventus de Melrose a me notario ordinis Cisterciensis peciit instrumentum. Acta erant hec super marchiis dictarum terrarum hora prima*

post merediem anno die mense indictione et pontificatu quibus supra, presentibus ibidem honorabilibus viris, Andrea Haliburtoun, Domino de Mertoun, Waltero Haliburtoun, Johanne Robsoun de Gledswod, Jacobo Hoppringill de Tynnes, Willelmo Linlythquhow de Drygrange, David Broun, cum diversis aliis.' (f. 43.)

Charter by Andrew, Abbot of Melrose, confirming a charter by Henry Kempt of Thomastoun, with consent of Janet Dury, his wife, to George Hume of Spot and Katherine Hakkarstoun, his spouse, of the lands of Hartsyde in the constabulary of Haddington, to be held for the yearly payment of £40 with duplication and service at the three head courts. Dated Edinburgh, 7th February 1540-41; witnesses, Mr. James Foulis of Colintoun, Lord Clerk Register, Henry Hoppare, Mr. Alexander Stevenson, Alexander Cokburne, John Colisoun, Henry Paslay, John Kiltra, John Broun and Mr. Thomas Keyne, notaries. The charter of confirmation is dated Melrose, 10th April 1541, and signed by the Commendator and Richard Chatto, subprior, Robert Liddel, John Andersoun, Thomas Mersar, John Brounfeld, John Hogart, William Filp, John Fourhouse, John Watson, James Lythgow, David Hoppringill, Thomas Meyn and Bernard Boustoun. (f. 44.)

Precept of Clare Constat, in favour of George Hume, now of Spot as heir to his father the deceased George Hume of Spot in the lands of Hartsyde in the constabulary of Haddington; dated 2nd September 1556. The precept is directed to James Shaw. (f. 45.)

'Ane Rentall of Alexander Adam and Jonet Adam his sister.

'We James Commendatare of the Abbayis of Kelso and Melrose be the tenour heirof admittis enteris and rentalis our lovittis Alexander Adam, Jonet Adam his sister germane, bairnis to umquhyle Mergret Wawker, as lauchfull tenentis in and to ane onset yairde and kyll with the pertinentis lyand within the toun of Mauchling, quhilkis the said Mergret broukit of befor, and lyand

within the lordschip of Kylismure and schirefdome of Air, and fra thyne furth to be broukit and joysit be the saidis Alexander and Jonet as lauchfull tenentis efter the fredome and liberte of our rentall of our said abbay of Melrose, payand thairfor yeirlie all malis carege dewiteis and dew service usit and wount. In witness heirof we have subscrivit this present testimoniall with our hand, at Air, the xj day of November in the yeir of God j^{m}v^{c} fyfty and fywe yeris.—JAMES Commendatare of Kelso and Melrose.'
(f. 45.)

Charter[1] to Agnes Drippis and John Sawars, her son, who have paid a sum of money towards the reparation and rebuilding of the place of Melrose, which was burned and destroyed by the old enemies of England in the time of the late war, of the 6 s. 8 d. lands in Nether Hoilhous which they presently occupied in the lordship of Kylismure, for the yearly payment of 6 s. 8 d. as the old rent, 3 d. for areages and carriages, 9 d. for bondage, and 2 s. 6. d, in augmentation. Dated —— 1555. (f. 46.)

Charter to Gilbert, Earl of Cassillis, Lord Kennedy, of the 9 merklands of Largis, the 5 merk 6 s. 8 d. lands of Knokrawer, 5 merklands of Lagdalduf and the half merkland of Largis extending in all to 20 merklands of the lands of Monkland in the bailiary of Carrik, presently occupied by the said Earl and his tenants, to be held by the said Gilbert, Earl of Cassillis, and Margaret Kennedy, his spouse, and the survivor in liferent, and their heirs in fee, for the yearly payment of 20 merks as the old rent, with ten merks in augmentation, with duplication; dated —— 155–. (f. 47.)

Charter to Walter Kennedy and Margaret Chalmer, his spouse, and their heirs of the three merklands of Knokdone which James Kennedy in Knokdone, father of the foresaid Walter, now occupies, lying in the lordship of Monkland, and bailiary of Carrik, for the yearly payment of £3 with

[1] This and the subsequent charters are granted by James, Commendator of the monasteries of Kelso and Melrose.

thirlage to the mill of Carwax [Corway] and duplication and service at the three head courts. Dated 22nd January 1555-56. (f. 48.)

Charter to John Clennen and Agnes Watsoun, his spouse, of a tenement with pertinents before the front door of the monastery of Melrose, between the tenement of the deceased John Watson on the South and the tenement of John Lorimer on the North, having the High Street on the West and the garden of the monastery called the Prenteyse yairds on the East, the said tenement containing 20 ells and 20 inches in length and 7 ells 7 inches in breadth between the wall of the said monastery and the foresaid garden, together with an acre and half a rood of arable land lying in the Quarelhill at the West side thereof and a garden outwith the walls of our monastery, with pasturage for two cows in the commonty of Danzeltoun and a horse in the green yaird and Weirhill etc., for the yearly payment of 20 s., and 5 s. annually at Pasch for teind ale, with service at courts; dated 17th March 1555-56. (f. 49.)

Note of Admission or Rental of William Scott in Megehop, son of the deceased Wat Scott, to occupy the ten merklands of Warldlaw Bank within the lordship of Ettryk and Rowdono for the yearly payment in use to be made formerly, dated 11th September 1556. (f. 50.)

Charter to George Mychell in Catrene and Bernard Mychell, his son, who have paid a sum of money towards the rebuilding of the place of Melrose lately burned by the English, of 12 s. lands of Nether Catrene, the 6 s. lands of Nether Katrene commonly called Kenstie, and the 8 s. 9 d. lands of Dalquhrain, extending in all to 26 s. 9 d. lands, which the foresaid George now occupies, in the lordship of Kylismure, to be held for the yearly payment of 26 s. 9 d: as the old rent with 12 d. for areage and carriage and 9 d. for bondage silver, also 12 s. for augmentation of the rentall, extending in all to 38 s. 6 d. [*sic*], with duplication, and suits of court at Mauchling, and thirlage to the mills of

Mauchling, also assisting in the defence of the monastery of Melrose against enemies; dated 20th February 1555-56. (f. 50.)

Charter to John Law in Dalsanguen, John Reid in Threipwood and William Huntare in Blairmannoch, curators of John Reid in Craigheid, who have paid a certain sum of money for the rebuilding of Melrose Abbey, granting to the said John Reid in Craigheid the 13 s. 4 d. lands of Dalsanguen commonly called Creigheid which he and his curators now occupy in the lordship of Kylismure, for the yearly payment of 13 s. 4 d. with 6 d. for areage and carriage and 9 d. for bondage silver and 5 s. in augmentation extending in all to 19 s. 7 d. with duplication, suits of court, and thirlage to the mill of Mauchling; dated 20th February 1555-56. (f. 52.)

Charter confirming a charter by William Hamiltoun of Sanchar, knight, to William Hamilton of Glenmure, knight, his son and heir, and the heirs male of his body, whom failing, David Hamiltoun, son and heir of the deceased James Hamiltoun, 'my' brother german and heirs male of his body, whom failing, Mr. Bernard Hamilton, 'my' brother german, and heirs male of his body, whom failing, George Hamilton, 'my' brother german and heirs male of his body, whom failing, William Hamilton, 'my' brother german and heirs male of his body, whom failing, Patrick Hamilton and heirs male of his body, whom failing, John Hamilton of Colmiskeith and the heirs male of his body, whom failing, the lawful and nearest heirs male of the granter bearing the surname and arms of Hamilton, of the lands of Over Sorne and Nether Sorne with the mills upon the said lands, the lands of Mosghewill with the mansion etc., and lands of Lymmerhauch with pertinents, the three merklands of Grenokmains, the four merklands in Ovirwod called Linburne, the 3 merk and 11 s. lands of Dyikfeild, the 5 s. lands called McMichallis Bog, the 13 s. 4 d. lands called Monkhill, Jakkisfeild, Rouch, Aikar and Tua Stane Croce, with the mill of Milburne, mill lands thereof and astricted multures, with the lands of Barmuir, with the

dams in the Loch of Loichlie and elsewhere where it has been customary to take water for the said mills, with the mill lades, in the lordship of Kylismure, for the yearly payment for the lands of Sorne and mills thereof 16 merks with service in the bailie courts at Mauchlin; for the lands of Mosghewill 12 merks 6 s. 8 d.; for the lands of Grenokmains 4 merks, Linburne 3 merks 11 s., Dykfeild 5 s., McMichallis Bog 13 s. 4 d., Monkhill, Jakkisfeild, Rouch, Aikar and Tua Stane Croce with the mill of Milburne, 33 merks; and for the lands of Lymmerhauch £4, with duplication; also paying at the same time to the convent the sums of 4 merks for Over and Nether Sorn, 40 s. for Mossgavil, 20 s. for Lymmerhauch, and £4, 16 d. for the rest. Dated Edinburgh 26th January 1556-57; witnesses, John Ballentyne of Auchinnull, Lord Justice Clerk, Mr. Barnard Hamilton, George Hamilton, brothers to the granter, Robert Farquhar, John Spottiswod in Fowlair, and Sir Thomas Reith, chaplain. The charter of confirmation is dated 21st February 1555-6.

Charter by Andrew, Abbot of Melrose, to John Dwry of the lands of Lymmerhauch in the lordship of Kilismure and shire of Ayr, paying yearly £4 and 40 s. of augmentation with court service at Mauchlin and with duplication; dated Melrose, 10th March 1539-40. (f. 11.)[1]

Charter by James, Commendator of the monasteries of Kelso and Melrose,[2] to John Bell, son of Thomas Bell in Ballachmylle, of the 5 s. lands of Nethirwod in said lordship which formerly belonged to John Reid in Grenoktoun, resigned by him at Melrose, paying yearly 5 s. as the old rent, with 2½ d. for arreage and carriage, 9 d. for bondage silver and 22½ d. for augmentation extending in all to 7 s. 10 d. with duplication, and with three suits of court at the head courts at Mauchlin yearly, thirlage to the mills of Mauchlin, and the inhabitants being obliged

[1] This and the ten subsequent entries are taken from a different part of the MS. volume.

[2] Subsequent charters are similarly granted by James, Commendator of the monasteries of Kelso and Melrose, unless otherwise stated.

to defend the monastery of Melrose against enemies; dated at the said monastery, 18th June 1557. (f. 13.)

Charter to William Bell, son of Thomas Bell in Ballauchmylle, of the 4 s. 6 d. lands of Over Eschew Burne in said lordship which belonged to John Reid in Grenoktoun, resigned by him; paying yearly 4 s. 6 d. as the old rent, 2 d. for arreage and carriage, 9 d. for bondage silver and 20 d. in augmentation extending in all to 7 s. 1 d. with duplication, service at the three head courts at Mauchling, thirlage to the mills of Mauchling and assisting in the defence of the monastery; dated 18th June 1557. (f. 14.)

Charter to William Hamilton of Glenmure of the 15 s. lands of Grenoktoun presently occupied by Andrew Watt and William Watt, brothers, and the 6 s. 8 d. land of Reidwray, to be held by the said William Hamilton of Glenmure, knight, and William Hamilton, his son and heir apparent and the heirs male of his body, whom failing, John Hamilton, second son of the said Sir William and the heirs male of his body, whom failing, Robert Hamilton, third son of the said Sir William and the heirs male of his body, whom failing, to any heirs male of the said Sir William, whom failing, to David Hamilton, son and heir apparent of the deceased James Hamilton in Bogwod and the heirs male of his body, whom failing, Mr. Bernard Hamilton, father's brother of the said Sir William, and the heirs male of his body, whom failing, George Hamilton, brother german of the said George [?] and the heirs male of his body, whom failing, Patrick Hamilton, natural brother of William Hamilton of Sanchar, knight, and the heirs male of his body, whom failing, John Hamilton and the heirs male of his body, whom all failing, the nearest heirs male of the said Sir William bearing the arms and surname of Hamilton within the kingdom of Scotland, for the paying yearly of —— and augmentation of 8 s. 1 d.; dated 20th February 1555-56. (f. 15.)

Charter to John Spottiswod and his heirs male, namely, William Spottiswod, his eldest son, and heirs male of his body, whom failing, John Spottiswod, his second son and heirs male of his body, whom failing, the heirs male of the

body of the said John Spottiswod, elder, whom failing, Hugh Spottiswod, his brother german and heirs male of his body, whom failing, William Spottiswod of Mossgeile and heirs male of his body, whom failing, the lawful and nearest heirs male of the said John whomsoever, of the 10 s. 10 d. lands of Newtoun and Oxinschaw and the 26 s. 8 d. lands of Gershillis extending in all to a 37 s. 6 d. land paying yearly 53 s. 5½ d.; dated 20th February 1555-56. (f. 15.)

'Memorandum, *quinto Februarii anno Domini m°v^c quingentesimo quinto:* Maister Walter ressavit ane chertour of Gibbe Young with ane precept contenit thairinto of xiiij s. ij d. land; *item,* ane chertour of Jhone Boyd of thre schilling land in Kenste; *item,* ane chertour of George Farchar in Over Katryne of xxj s. vj d. land.' (f. 15.)

'The tennentis of Lessiddyn[1] efter the generall clause :—

'Thom Broun ane quarter of land payand thairfer yeirlie of male *novem solidos et iij d.* with uther clausis generall.

'Nycholl Thurbrand in half husband land payand xviij s. vj d.

'Moungho Gibsoun ane quarter of land payand ix s. iij d.

'Thomas Jamesoun thre quarteris of land payand xxvij s. et ix d. etc.

'David Mutar in half ane land payand xviij s. vj d.

'Andro Patoun ane quarter of land payand ix s. iij d.

'Johnne Couchren half land payand thairfor xviij s. vj d. etc.

'James Cot in ane quarter of land payand thairfor ix s. iij d.

'Johannes Pursell in ane quarter of land, payand thairfor ix s. iij d.

'Martyne Gibsoun in ane quarter of husband land ix s. iij d.

'George Pawtoun in ane quarter of land payand thairfor ix s. iij d.

'Jacobus Purwes ane quarter of husband land payand thairfor ix s. iij d.

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[1] This rental contains the names also of the grantees mentioned in the charters immediately following.

'Thome Spense in half husband land payand thairfor yeirlie xviijs. vj. d.

'*Carta Katrine Purwes, filie Roberti Purwes, de integra una quarta parte terre husbandie cum ceteris clausulis generalibus, solvendo annuatim ix s. iij d.*

'*Carta Johannis Cunray de una quarta parte terre husbandie etc. nunc occupate per Johannēm Huntar et olim per Jonetam Huntar* alias *Weir, aviam dicti Johannis Cunray, solvendo annuatim ix s. iij d. cum ceteris clausulis,*'

(f. 17.)

Charter to Marion Andersoun in liferent and Alison Richartsoun, her daughter, and her heirs heritably of half of a husbandland with toft and the garden lying in Lessudwine occupied by the said Marion (reserving the fishings of the Water of Tweed, stone quarries, etc.) which half husbandland formerly belonged to Mr. Henry Sinclare, Dean of Glasgow, our cousin,[1] in feufarm and was resigned by him; paying yearly 18 s. 6 d., with 12 d. for two poultry, thirlage to the mill of Newtoun, with court service and duplication; dated at the said monastery —— 1556. (f. 19.)

All the following lands were resigned by Mr. Henry Sinclair, and the notes on the charters are abbreviated accordingly.

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[1] Henry Sinclair was second son of Sir Oliver St. Clair of Roslin, son of the second marriage of William, third Earl of Orkney (*Scots Peerage*, vol. ii. p. 334). He was admitted a Lord of Session on 13 November 1537, and was appointed Canon Rector or prebend of Glasgow on 16 December 1538 (*Laing Charters*, No. 428). In 1541 he obtained the office of Commendator of the Abbey of Kilwinning. He was president of the Court of Session in 1544. In 1550 he exchanged the Commendatorship of Kilwinning with Gavin Hamilton for the Deanery of Glasgow. He was ambassador to England and Flanders. In July 1549 he obtained a charter of the lands of Lessudden from the Commendator of Melrose (*Acts and Decreets*, vol. iv. fol. 182) as heir to his brother, Arthur Sinclair, who had a crown charter of these lands on 29 August 1539 (*Great Seal*, vol. 1513-46, No. 2195). In 1560 he became Bishop of Ross. He died in France on 2 January 1565. The term 'cousin' possibly refers to the fact that his grandfather Wm. Sinclair, Earl of Caithness, 'The Waster,' was a son of Elizabeth Douglas, daughter of Archibald, fourth Earl of Douglas by Lady Margaret Stewart, daughter of King Robert III. (*Scots Peerage*, vol. ii. p. 333).

Charter to John Dodis of a quarter of a husbandland with toft and garden presently occupied by himself, also a house with gardens in Lassudwine presently occupied by Allan Haig, with same reservations as in preceding charter, paying yearly 9 s. 3 d. and 6 d. for one poultry, with thirlage to the mill of Neutoun, court service and duplication; dated 22nd February 1556-57. (f. 20.)

Charter to Marian Cochrane in liferent and Christian Stoddart, her daughter, and Robert Brydin, her husband and the survivor of them and their heirs male or female in fee, of 1¾ husbandlands with toft and garden in Lassudwine presently occupied by them, (with same reservations) paying yearly £3, 4 s. 9 d., 3 s. 6 d. for seven poultry, with thirlage to the mill of Neutoun, service at courts and duplication; dated 22nd February 1556-57. (f. 21.)

Charter to David Gastoun of 1¼ husbandlands with toft, croft and garden in Lessudwine now occupied by himself, with same reservations, paying yearly 46 s. 3 d., 2 s. 6 d. for five poultry, thirlage to the mill of Neutoun, service at courts and duplication; dated 22nd February 1556-57; signed by the Commendator, Thomas Merser, subprior, William Philip, John Hoggert, John Watsoun, David Hoppringill, Thomas Meyn, Mungo Purwes, Ralph Hudsoun, John Fowrrois, and Bernard Bowstoun. (f. 22.)

Charter to James Thorbrand called of the Style, in liferent, and James Thorbrand, his son, in fee, of ¾ of a husbandland with garden in the town of Lessudwyne occupied by the said James (with same reservations), paying yearly 26 s. 9 d. with 18 d. for three poultry, thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 55.)

Charter to John Gibson of two husbandlands with gardens in the town of Lessudwyne, occupied by the said John Gibson (with same reservations), paying yearly £3 14 s. and 4 s. for eight poultry, with thirlage to the mill of Newtoun and duplication; dated 22nd February 1556-57. (f. 56.)

Charter to James Unys of a husbandland with garden in the town of Lessudwyne occupied by himself (with same reservations), paying yearly 37 s. and 2 s. for four poultry, with thirlage to the mill of Newtoun, with duplication, etc.; dated 22nd February 1556-57. (f. 57.)

Charter to John Hunter of a husbandland with garden in the town of Lessudwyne occupied by himself (with same reservations), paying yearly 37 s., 2 s. for four poultry, thirlage to the mill of Newtoun, and duplication, etc.; dated 22nd February 1556-57. (f. 58).

Charter to David Stoddart of a husbandland and the half of a husbandland with garden in the town of Lessudwyne occupied by himself (with same reservations), paying yearly 55 s. 6 d., 3 s. for six poultry, with thirlage to the mill of Newtoun, and duplication, etc.; dated 22nd February 1556-57. (f. 59.)

Charter to Walter Jamesoun, elder, of a husbandland with garden in the town of Lessudwyne occupied by himself (with same reservations), paying yearly 37 s. with 2 s. for four poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 60.)

Charter to Walter Jamesoun, younger, of half a husbandland in the town of Lessudwine occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 61.)

Charter to William Jamesoun of ¾ of a husbandland with garden in the town of Lessudwin occupied by himself (with same reservations), paying yearly 27 s. 9 d., 18 d. for three poultry, and thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 62.)

Charter to James Stodart of 1¼ husbandlands with garden etc., in the town of Lessudwin occupied by himself (with same reservations), paying yearly 46 s. 3 d., 2 s. 6 d. for five poultry, thirlage to the mill of Newtoun, and duplication etc.; dated 22nd February 1556-57. (f. 64.)

Charter to Symon Jamesoun of half a husbandland with

garden occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, thirlage to the mill of Newtoun, and duplication etc.; dated 22nd February 1556-57. (f. 65.)

Charter to David Richartsoun of half a husbandland with garden in the town of Lessudwin occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, thirlage to the mill of Newtoun, and duplication etc.; dated 22nd February 1556-57. (f. 66.)

Charter to Thomas Richertsoun of half of a husbandland with garden in the town of Lessudwin, occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication etc.; dated 22nd February 1556-57. (f. 67.)

Charter to Laurence Lethane of ¾ of a husbandland with garden in the town of Lessudwyne occupied by himself, (with same reservations), paying yearly 27 s. 9 d., 18 d. for three poultry, with thirlage to the mill of Melrose, duplication, etc.; dated 22nd February 1556-57. (f. 68.)

Charter to Patrick Reidall of ¾ of a husbandland with garden etc. in the town of Lessudwin, occupied by himself (with same reservations), paying yearly 27 s. 9 d., 18 d. for three poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 69.)

Charter to William Richertsoun, son of Katherine Bauld, of a half husbandland with garden in the town of Lessuddwin, occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun duplication etc.; dated 22nd February 1556-57. (f. 70.)

Charter to David Gibsoun of a half husbandland with garden in the town of Lessudwyne, occupied by himself (with same reservations), paying yearly 18s. 6d., 12 d. for two poultry, with thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 70.)

Charter to James Thurbrand of 1¼ husbandlands with

garden in the town of Lesudwin occupied by himself (with same reservations), paying yearly 46 s. 3 d., 2 s. 6 d. for five poultry, with thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 71.)

Charter to Helen Hendirsoun, widow of John Cott, in liferent, and to John Cott, heritably, of half a husbandland in the town of Lesudwin presently occupied by the said Helen (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 72.)

Charter to John Cot, clerk, of half a husbandland with garden in the town of Lessudwyne occupied by himself, (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 73.)

Charter to Thomas Kyle in Hill of a husbandland with garden in the town of Lesudwin, occupied by himself (with same reservations), paying yearly 37 s., 2 s. for four poultry, with thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 74.)

Charter to Richard Cott, son of the deceased Richard Cott, of half a husbandland with garden in the town of Lesudwin, presently occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, duplication, etc.; dated 22nd February 1556-57. (f. 75.)

Charter to John Cott, son of the deceased William Cot, of a husbandland with garden in the town of Lesudwin, occupied by the said John Cot (with same reservations), paying yearly 37 s., 2 s. for four poultry, with thirlage to the mill of Newtoun, and duplication etc.; dated 22nd February 1556-57. (f. 75.)

Charter to Marian Crawfurd in liferent and Thomas Kyle, her son, heritably, of a husbandland with garden in the town of Lesudwin (with same reservations), paying yearly 37 s., 2 s. for four poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 76.)

Charter to John Kyle of a half husbandland with garden in the town of Lesudwin occupied by himself, under same reservations, paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage and duplication; dated 22nd February 1556-57. (f. 76.)

Charter to John Riddell of half of a husbandland with garden in the town of Lesudwin occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 77.)

Charter to William Thurbrand called of the Style, of half a husbandland in the town of Lesudwin occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 77.)

Charter to David Purves, of half of a husbandland with garden in Lesudwin, occupied by himself (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication; dated 22nd February 1556-57. (f. 78.)

Charter to George Kyle, of half a husbandland with garden in the town of Lesudwin (with same reservations), paying yearly 18 s. 6 d., 12 d. for two poultry, with thirlage to the mill of Newtoun, and duplication, etc.; dated 22nd February 1556-57. (f. 78.)

[*Note.*—A folio containing the beginning of the following rental seems to be missing in the MS.]

Est Theviotdaille.

Georg Ker.
Gatschaw . . . . vj ℔. xiij s. iiij d.
The tenentis.
Hownumgrange . . . x ℔.
The tenentis.
Cliftoun coit . . . . vj ℔. xiij s. iiij d.
The tenentis.
Sowthcoit . . . . iiij ℔.
The Lard of Cesfurd.
Antounburne . . . . x ℔.
Summa xxxvij ℔. vj s. viij d.

Uggynnis.

Robene Davidsoun.

Falset	v li.
The Trowe	v li.
Coklaw	vij li. x s.
Capilrodrige	v li.
Iveschaw	vij li. x s.
Preistneis	v li.
Sourhoip	v li.
Raschaw	x li.

Summa l li.

The landis in the Merse.

Hassyntoun Mainss . . .	v li. xv s.
Barluy	lv s.
The four landis of Hassentoun.	xxx s.
The Cleikland. . . .	xx s.
Pittillishouche . . .	v li.
'Set in few in anno lv° and augmentit xl s. et sic summa annuatim xviij li.	

Summa xviij li.

Lammermuir.

In few to the Lard of Bass.

Panschelis, Preistislaw, Kingsyd Freiredykis and Winterscheildykis . . .	xxx li. *olim* xxj li.

In few to Lard of Spot.

Hartsyd.	xl li. *olim* xl merkis.

Summa lxx li.

Tueddelle.

Tracquair	x s.

James Tenent, sone and air to umquhille Patrick Tenent.

Hairhoup	xv li. *olim* x li.

The Law (? *lege* Laird) of Drummelzair.

Hapcartane . . . . . iij ℔. vj s. viij d.
Somerwale, Lady Drummelzair.
Kingildoris . . . . . viij ℔.
Wolfclid . . . . . liij s. iiij d. augmentit iij s. ix d.

Summa xxix ℔. xij [*sic*] s. ix d.

Ettrik.

— Scot of Tuschelaw.
Glenkery . . . . . iiij ℔.
— Scot of Mungerhop.
Mogerhop . . . . . vj ℔. xiij s. iiij d.
— Scot in Thrilstane.
Ettrikhous . . . . . vj ℔. xiij s. iiij d.
Auld Hob Scot of Riskynhoup.
Schorthoup . . . . . v ℔.
Vil Scot of Migerhoup.
Fawhoup . . . . . vj ℔. xiij s. iiij d.
Thome Jonstoun.
Langhoup . . . . . vj ℔. xiij s. iiij d.
Kirkhoup . . . . . v ℔.
Robert Scot of Bonytoun.
Espyhoup . . . . . vj ℔. xiij s. iiij d.
Stobeclouch . . . . . iiij ℔. vj s. viij d.
Robert Scot of Schastaine.
Craige . . . . . ij ℔.
Ramseclouch . . . . . vj ℔. xiij s. iiij d.
Thrilistane . . . . . vj ℔. xiij s. iiij d.

Summa lxvj ℔.

Rowdono.

Robert Scot of Bowhill.
Langbank . . . . . vj ℔. xiij s. iiij d.
Quhithoup . . . . . vj ℔. xiij s. iiij d.
Litillhoup . . . . . v ℔.
Mekillehoup . . . . . vj ℔. xiij s. iiij d.

Summa xxv ℔.

Ringwodfeild.

Young Robert Scot of Alanehauch.
The Burgh . . . . iiij li.
Syme Scot and Johne Scot, sonnis to the guidman of Alanehauch.
Stobecoit . . . . vj li.
Adam Scot of Alanehauche.
Ringwodhat . . . . v li.
Sym Scot of Fernili and Arche Ellot of Gorumbery.
Bowandhillen . . . v li.
Grangia *alias* Stanyhetoun . iiij li.
Robert Ellot of Reidhuche.
Preistishauch . . . . v li.
Penangushoup . . . . v li.
Walter Scot and Vil Ellot callit Arche Wille.
Westcoit . . . . v li.
William Scot of Bowdon.
Northous . . . . v li.
The gudman of Syntoun and Arche Ellot of Thirlishoup.
Sowdenrig . . . . v li.
Caldcleuch . . . . iij li. vj s. viij d.

Summa lij li. vj s. viij d.

Eskdaille mure.

Tholluquhaire . . . . vj li. xiij s. iiij d.
Crurye . . . . . v li. vj s. viij d.
Yetbyire . . . . vj li. xiij s. iiij d.
Newbyire . . . . xx li.
Kyrkfauld . . . . iij li. vj s. viij d.
Cristelschaw . . . . iij li. vj s. viij d.
Blakescoit . . . . vj li. xiij s. iiij d.
Powdom . . . . iij li. vj s. viij d.
Powmonk . . . . iiij li. x s.
Powcleif . . . . iij li. vj s. viij d.

Glendark	vj li. xiij s. iiij d.
Cassexe	v li.
Finglaine	v li.
Awnlesk	v li.
Mydlawheid	v li.
Raburne	x li.
Hauwod	x li.
Myddilburne	iij li. vj s. viij d.
Tymmurhillin	v li.
Johnnstoun	v li.
Watcarrocoit	vj li. xiij s. iiij. d.
The Todschawhillin	iij li. vj s. viij d.
Wattarikgrange	x li.
Garwaldhous	vj li. xiij s. iiij d.
Crakitheuch	v li.
Dunfedling	iij li. vj s. viij d.
Cubymburne	iij li. vj s. viij d.
The Kirkland	iij li. vj s. viij d.

Summa j^{c}lxiiij li. xvj s. viij d.

Redditus burgorum

De Edinburgh	xxix li.
De Leith	xxx s.
De Hadingtone	xxviij s.
De Glasgw	xx s.
De Peblis	viij s.
De Selkirk	l s. in few, *olim* xl s.
De Jedburgh	viij s.
De Kinross	xvj s.
De Perth	iij li. *olim* ij li. xiij s. iiij d.
De Aire	xx s.
De Berwik	lxvj li. xiij s. iiij d.

Summa j^{c}vij li. xiij s. iiij d.

Milnis that payis money.

The gudwif of Quhit band.

Langschawe myln	vj li. xiij s. iiij d.
Newtone myll	viij li.

Honumgrange myll . . ij ℔.
Wolgrange myll . . . ij ℔.
Summa xviij ℔. xiij s. iiij d.

The teynd schewis of Blainslie set to Robene Ormistoun for . . . . . xxvj ℔. xiij s. iiij d.

Item, the teynd schewis of Apiltreleis set to the Lard Bukclewch for . . . x ℔.
Summa hujus xxxvj ℔. xiij s. iiij d.

Summa totalis onerationis pecunie [1] . . . $j^{m}j^{c}$xliiij ℔. xv s. iiij d.

Buttere.

In few to Robene Carncors.
Colmislie, the owarside . . l stanis. *olim* Flokraik.

Johne Carncors and Sir Andro Caw (? Cair).
Lawdopmyre, the neddersyd . lv stanis.
Summa of butter v^{xx} v stanis.

Saltpannis of Preistoun.

The salt pannis of Prestoun payit to the plaice and careit be the plaice self . viij ch. salt.

Frumentum de firmis.

The Abbay milnis . . vj c. gernel met.
The Westhous mey [*sic*] . . ij ch. gernell met.
The Braidmedo . . . v b. gernel mett.

Nicol Elles.
The Almont Park . . . iiij b. gernel mett.
The New Grange in Lammermuir . . . . v ch. quhilk is less nor the gernel mett x b.
Summa frumenti xiij ch. ix bollis.

[1] As the beginning of the rental is lost, the summation reaches only about £676.

Ordeum de firmis.

Newsteid	x ch.
Danzeiltoune	vj ch.
Darnik	xiij c.
Brigend	j^{c}ij b.
Galtounsyd	xvj ch.
The Annay	iij ch.
The tenentis of the Annay taik and payit gressum ilk v yeir for ilk akire . .	v s.
Elistoun	iij c.
Moshouse	j c.
The Femaisteris landis . .	x b.
Priorwod	ix b. cuntremeit, *quod faciunt ex* girnel meit x b. ij f. iij p^{c}is.
The quheit yard . . .	iij b.
Langmedo	iij b. ij f.
Elidouncoit	vj b.
Coityards	Barne Meine *pro officio* the Wardaine akyr in Dernik j b.
The Baithscheilhauche . .	vj b.
Elidoun, ane akir payis . .	j b.
The Abbottis medow . .	iij b. ij f.
Buyklawis	ij b.
Braidmedois, Mathow Hannay .	j b. j f.
James Fischare . . .	ij f.
Henry Symsone . . .	j b.
Item, the Souter croft *olim* .	ij ch. ordei.
Item, Auld Melrose *olim* . .	j ch. iij b. ordei.
Item, the teynd of Drygrange .	ij ch. gernel meit.

Summa ordei lxj ch. vj b. j f. iij p.

Farina de firmis.

Elistoun	iij ch.
The Annay	iij ch. j f.

Galtounsyd	j ch.
The New Grange . . .	iij ch. less nor gernel meit iij b.
Priorwod	ix b. cuntre meit, *quod facuint ex* gernel meit x b. ij f. iij p.
Langmedo	j b. ij f.
The Hauche at the Brigend .	ij b.
Item, the Souter Croft *olim* .	ij ch. farine.
Item, Newfurd hauch *olim* .	xij b. farine.
Item, Auld Melrose *olim* . .	xv b. farine.

Summa farine xiiij ch. ix b. j f. iij p.

Avene de firmis.

Moshouses	iij ch. with ane ox or ellis xl s.
Brigend	ij c. ij b.
Tyldhouse	x b.
Monkis medow . . .	ij b., item ij fydder hay.

Summa avenarum v ch. xiiij b. avenarum.

Caynfoulis and cariage.

Lessuden	j^{c} cayne foulis, item ane for cariage in winter and ane for cariage in symmer with other iij nerer.
Elistoun	lx cayne foulis.
Newtoun and Elidun . .	j^{c} cayne foulis, with cariage conforme to Lessudden.
Newsteid	v^{xx} cayne foulis, with siclik cariage.
Danzeiltoun	lxxxviij with siclik caryage.
Darnik	v^{xx} iiij cayne foulis.

Galtounsyd	j^{c} cayne foulis.
Redpeith	lxiij cayne foulis, with cariage.
Blainslie	j^{c} with cariage.
The Annay	iiij^{xx}xiiij caponis.
The Cowbill staik . . .	vj caponis.
The Miln knowis . . .	xxiiij caponis.

Summa vij^{c}lv cayne foulis, item vj^{xx}iiij caponis; item, of Threipwod xx foire leid of peittis; item, of landis in sex dawerkis of peittis.

Summa totalis onerationis sive rentalis de Melrose annuatim as is allegit be the Comptar quhilk is abone specifeit, by the teindis except the Drigrange:—

Off mony	j^{m}j^{c}xliiij l. xv s. iiij d.
Off quheit	xiij ch. ix b.
Of beire	lxj ch. vj b. j f. iij p.
Of meile	xiiij ch. ix b. j f. iij p.
Of aittis	v ch. xiiij b.
Of caponis	j^{c}iiij.
Of pultre	vij^{c}lv.
Of butter	v^{xx}v. stanis.
Of salt	viij ch.
Of peittis	iiij^{c}xl leiddis.
Of cariages	vj^{c} and v by lyme and peittis.

And this subscriwit without prejudence gif ony forther rentale may be heid. (ff. 23-25.)

REGISTER OF THE EVIDENTS OF THE MONASTERY OF MELROSE granted by James Douglas, Commendator thereof, and Alexander [Colville], Commendator of Culros, his Iconimus, Coadjutor and Administrator.

1571-1594.

[*Note.*—After July 1586, the grants are made by the Commendator of Melrose alone.]

Precept of *Clare Constat*, in favour of Agnes and Elizabeth Symon as heirs of the deceased Robert Symon of Dalquhene, their father, in the 8 s. 9 d. lands of Dalquhen in the lordship of Kyllismuir and shire of Ayr. Dated Tullicultre, 16th September 1571; witnesses, Mr. Robert Lokart and Mr. Robert Coluile. (f. 1.)

Precept of *Clare Constat*, in favour of George Tunno as heir to his grandfather the deceased John Tunno of Reidvra in one merk of the lands of Milburn and 17 s. 9 d. of the lands of Reidwra in Barmure in said lordship. Dated Lochlevin, 16th October 1571; witnesses, Mr. William Hendersoune, Robert Livingstoun and James Drysdeill. (f. 1.)

Charter, confirming a charter by John Reid, brother german of the deceased Robert Reid of Brintscheild to William Reid, brother german of John Reid of Ballochmyld of the 20 d. lands of Voulton occupied by John Adam in said lordship paying yearly 13 s. 4 d. as the old rent and 7½ d. of augmentation with duplication at the entry of heirs and service at courts. Dated Natherfeild, 8th June 1571; witnesses, Mungo Reid of Dumfork, James Reid and Mathew Reid, brothers. The charter of confirmation is dated Leith, 26th January 1571; witnesses Mr. William Hendersoun, James Drysdeill and Robert Livingston. (f. 2.)

Charter, confirming an instrument of sasine given by the deceased William Reid of Merkland with his own hands to John Reid, his son and heir apparent, of the 14 s. 6 d. lands of Overbrintscheild commonly called the

Markland in said lordship, dated 3rd October 1565, under reservation of his own liferent and the terce of Beatrix Mure, spouse of the said William, to which as witnesses appear, Andrew Chalmer, brother german of James Chalmer of Gaitgirth, John Arde in Holl, Robert Arde, his son, and John Rannold in Brintscheill. The confirmation is dated Leith, 26th January 1571; witnesses, Mr. William Hendersoune, Robert Livestoun and Charles Pantoun. (f. 4.)

Precept of *Clare Constat,* in favour of John Reid as heir to the deceased John Reid in Dalsanguen in the 6 s. 8 d. lands of Dalsanguen in said lordship. Dated at Leyth, 21st January 1571; witnesses, Mr. William Henrysone, James Drysdeall and Robert Lewingstoun. (f. 4.)

Precept of *Clare Constat,* in favour of James Reid as heir to the deceased James Reid in Nether Meklewode, his father, in the 22 s. lands of Nether Meklewode commonly called Villokkish occupied by the said James Reid in said lordship, dated at Leyth, 12th February 1571; witnesses, Mr. William Henrysoune, Robert Levingstoun and Michael Reid. (f. 5.)

Precept in favour of John Reid as heir to the deceased James Reid, his father, in the 6 s. 8 d. lands of Gresmeiles and 22 d. lands of Gresyairds in said lordship. Dated at Leyth, 21st January 1571; witnesses, Mr. William Henrysoune, James Drysdeall and Robert Livistoun. (f. 5.)

Precept of *Clare Constat,* in favour of Janet and Elizabeth Gray as heirs to the deceased Luke Gray of Dalquhrane, their father, in the 8 s. 9 d. lands of Dalquhrane in said lordship. Dated at Wester Cumrie in Culros, 18th June 1573; witnesses, Mr. Robert Coluile, Archibald Primrose in Culros, Alexander Chalmer, John Brand and Henry Baverage, notary. (f. 6.)

Charter, confirming a charter by John Reid of Daldilling to George Reid, his son, of the £4, 5 s. 1 d. lands of

Daldilling presently occupied by himself and his tenants in said lordship, paying yearly £4, 5 s. 1 d. as the old rent and 3 s. 2½ d. for arreage and carriage, 9 d. for bondage silver and 31 s. 11 d. of augmentation with duplication at the entry of heirs and service at courts. Dated Daldilling, 27th March 1572; witnesses, Robert Reid, son of the granter, John Gemmil, notary, and Robert Jhonestoun, his servitor. The charter of confirmation is dated at Vester Cumrie, 29th July 1573; witnesses, Mr. Robert Coluile, John Caploch, Robert Burrell and James Elphingston, brother german of the Laird of Elphingstoun. (f. 6.)

Charter, confirming a charter by John Stewart, feuar of the lands of Eildone, to Cristine Vardlawe, his spouse, in liferent, of the lands of Eildone, in terms of contract of marriage between them with consent of Alexander Vardlawe of Kilbabbartoun, paying yearly £26, 60 kain fowls and 60 carriages with three suits of court at the monastery of Melrose and thirlage to the mill of Melrose. Dated Edinburgh, 16th March 1567; witnesses, Henry Wardlawe, notary, Charles Dixsone, servant to the granter, Archibald Miller and Adam Schoir. The charter of confirmation is dated at Vester Cumrie, 1st August 1653; witnesses, Mr. Robert Colville, Adam Maistertoun, Robert Burrell and Henry Baverage. (f. 7.)

Charter to Patrick Mure, now of Cloncard, of the lands of Craigskeane being a 43 s. 4 d. land in the lordship of Monkland, bailiary of Carrike and shire of Ayr, of which lands his predecessors have long been rentallers and occupiers, paying yearly 43 s. 4 d. and 3 s. 4 d. of augmentation, with duplication at the entry of heirs, and service at courts. Dated at Vester Cumrie, in Culrosshire, 1st August 1573; witnesses, Mr. Robert Coluile, Adam Maisterton, Robert Burrell, John Caiploch and Henry Baverage, notary. (f. 8.)

Precept of *Clare Constat*, in favour of Robert Hunter as heir to the deceased Stephen Hunter of Villiamlaw, his grandfather, in the five merk lands of Blainslie Nether with croft and garden, etc., and a part and quantity of

the said land lying in rinrig occupied by the said Stephen and his subtenants, also two pendicles of the said lands called Bradwodsheill and Bradwodheid called Hous of Hill. Dated Edinburgh, 13th August 1573; witnesses, Mr. Robert Coluile, Alexander Coustoun and Robert Stewart. Note. He should pay for the five merk land of Blainslie five merks, for Bradwodheid two merks, and Hous in the Hill 8 s. 4 d., with 3¼ carriages and 10¼ poultry. (f. 8.)

Precept of *Clare Constat,* in favour of William Hodge as heir of the deceased William Hodge in Mauchlinge, his father, in the 40 d. lands of Veltoun occupied by the said deceased William Hodge and Margaret Gray, his spouse, in the lordship of Kyllismuir and shire of Ayr. Dated Edinburgh, 13th August 1573; witnesses, Robert Coluile, etc. (f. 9.)

Precept of *Clare Constat,* in favour of George Hall, as heir to the deceased Thomas Hall, his father's brother, in the tenement of 2½ falls in breadth and 16 in length lying before the front gate of the monastery and on the South side of the High Street between the land of the deceased John Noitman on the West and the land of the deceased James Turnbull on the East and the lands of Quarrelhill on the South and the said High Street on the North, with an acre of arable land of the Quarrelhill and pasture for two cows in the commonty of Danzeltoun and of a horse or heifer in the Grein Yaird and Veirhill from the 1st April yearly till harvest, and for the remainder of the year where the animals of the monastery were in use to pasture, with right of peats etc. Dated Edinburgh, 1st November 1573; witnesses, Mr. Robert Coluile, Henry Baverage, notary, and Nicolas Bower. (f. 9.)

Precept of *Clare Constat,* in favour of James Adame as heir to the deceased David Adam in Newtoun, his father, in the 10 s. 8 d. lands of Newtoun in the lordship of Kyllismuir, paying yearly 16s. Dated Edinburgh, 3rd February 1573; witnesses, Robert Farquher, Mr. Robert Coluile, Robert Quhyt and Henry Baverage, notary. (f. 9.)

Precept of *Clare Constat,* in favour of Robert Walkar

as heir to the deceased Richard Walkar, elder, in Bargoure Nether, his father, in the 6 s. 4 d. lands of Nether Bargoure in the said lordship. Dated Edinburgh, 13th March 1573; witnesses, Mr. Robert Coluile, William Hendirson, Robert Quhyt and Henry Baverage, notary. (f. 10.)

Charter to John Foggo in Grenoktoun, son and heir served to the deceased John Foggo of Grenoktoun, and to Elizabeth Richartson his spouse in conjunct fee, and their heirs and assignees, of the 10 s. lands of Grenoktoun presently occupied by them in the said lordship, paying yearly 10 s. as the old rent and 4½ d. for arreage and carriage, 9 d. of bondage silver and 3 s. 9 d. of augmentation, with duplication at the entry of each heir, and service at courts at Mauchlene, etc. Dated Edinburgh, 13th March 1573; witnesses, Mr. Robert Coluile, William Henrysone, Robert Quhyt and Henry Baverage, notary. (f. 11.)

Precept of *Clare Constat,* in favour of John McGawin as heir to the deceased John McGawin in the 13 s. 4 d. lands of Over Meklewode in the said lordship. Dated at Edinburgh, 13th March 1573; witnesses, Mr. Robert Coluile, Peter Prymrose, Robert Quhyt and Henry Baverage, notary. (f. 11.)

Precept of *Clare Constat,* in favour of Alexander Sawar as heir of the deceased Agnes Drippis, his mother, in the 7 s. 6 d. lands of Nether Hoilhouse formerly occupied by the said Agnes in the said lordship. Dated Edinburgh, 13th March 1573; witnesses, Mr. Robert Coluile, William Hendersone, Robert Quhyt and Henry Baverage, notary. (f. 12.)

Precept of *Clare Constat,* in favour of Mathew Richeard as heir to the deceased Andrew Richeard, his father, in the 4 s. 6 d. lands of Nether Meikilwode formerly occupied by the said Andrew in the said lordship. Dated Edinburgh, 13th March 1573; witnesses, Mr. Robert Coluile, William Henrysone, Robert Quhyt and Henry Baverage, notary. (f. 12.)

Charter to William Caldwell of Lochirmoss of the

31 s. 5 d. lands of Barmure called Duray in the said lordship which formerly belonged to Alexander Caldwell, burgess of Ayr, resigned, paying yearly 31 s. 5 d. as the old rent and 14 d. for arreage and carriage, 9 d. for bondage silver and 11 s. 9½ d. of augmentation with duplication at the entry of heirs, service at the courts at Mauchline, thirlage to the mills of Mauchline, etc. Dated Edinburgh, 25th February 1574; witnesses, Mr. Robert Coluile, Mathew Gaw, Alexander Chalmer, Robert Quhyt and Henry Baverage, notary. (f. 13.)

Letter of Bailiary by Andrew Durie, Postulate of the monastery of Melrose, appointing Walter Scott of Braxholm, knight, and the heirs male of his body, bailies of the lands of the monastery called Melrosland, Etrikheid, Rodonoland, Eskdailmuir, Ringwodfeld and Est Tiwidaill and Viggynis, also all and sundry other lands of the monastery (except the lands of Kyllismuir, Carrike and Nythisdaill) in fee and heritage for ever with power to hold courts etc., and assigning the rents of the lands for their fee and labours. Dated at the monastery of Melrose, 17th Novemebr 1574 and signed by the Postulate and James Lythgow, Adam Hangitsyd, Robert Darling, Patrick Wrycht, Thomas Merser, James Riddell, Robert Liddell, Richard Chatto, Robert Wrycht, Thomas Blyth, John Massone, John Fischer, Richard Patersone, Thomas Meyne, John Hoggart, Nicolas Villiamsone, Ralph Drydene, Mungo Purves, Robert Hudsone, David Cavart, William Philp and John Brounsyde. (f. 13.)

Precept of *Clare Constat* by the Commendator, in favour of William Gibsone as heir of the deceased Marion Sawer, his mother, in the 4 s. 4 d. lands of Over Bargoure formerly occupied by the said Marion and Charles Sawer, her father, in the lordship of Kyllismuir and shire of Ayr. Dated Edinburgh, 1st March 1573; witnesses, Mr. Robert Coluile, Peter Prymrose, Robert Quhyt and Henry Baverage, notary. (f 14.)

Precept of *Clare Constat* by the Yconimus of Melrose in favour of Walter Scott of Branxholm, knight, as heir of

the deceased Walter Scott of Branxholm, knight, his grandfather, in the lands of Ringvodfeild and the office of bailie of Melrosland, Etrikheid, Rodonoland, Eskdailmuir, Estteviotdaill, and Vgginche and also the lands of Northouse and Thirlestane. Dated Edinburgh, 4th April 1564. Note the whole lands of Ringvodfeld should pay yearly 'by' Northous and Thirlistane the sum of £27, and the said two towns paid formerly eight merks which he has heritably for his bailie fee. (f. 14.)

Notarial Instrument, dated Edinburgh, 3rd April 1564, narrating that at the time of the delivery to Mr. Thomas Vastoun, advocate, of the precept of sasine abovewritten, sealed and subscribed by Alexander, Commendator of Culros, Yconimus of Melrose, in favour of Walter Scott, the said Yconimus protested that having done the same as bailie by precepts from chancery it should in no wise prejudice the Commendator of Melrose and his successors in any action of reduction thereof. This was done within the said Yconimus's chamber in Andrew Stewinson's land in Edinburgh about 12 o'clock; witnesses, Mr. Mathew Gawe, Edward MicKiljhone, burgess of Edinburgh, and Robert Quhyt, servitor to the Commendator, Henry Baverage being notary. (f. 14.)

Charter, confirming a charter by Mungo Cambell, younger of Bromsyd, to Janet Dunbar, daughter of John Dunbar of Blantyre, and her heirs whomsoever, of the merk land called the Tentfillingsyd, Cowperyaird and Knokscharie in the lordship of Kyllismuir, occupied by Archibald Cambell of Bromsyd, his father, paying yearly 13 s. 4 d. and 5 s. of augmentation; dated at Interkin, 8th May 1567; witnesses, John Dunbar of Barmuir, John Hamilton, son of William Hamilton of Sanchar, knight, and William Dunbar, son of the said John Dunbar of Blantyre. The charter of confirmation is dated Edinburgh, 26th April 1574; witnesses, Mr. Robert Coluile, Robert Quhyt, Edward Miciljohne and Henry Baverage, notary. (f. 15.)

Charter, confirming a charter by John Beg to James Campbell and Helen Beg, his daughter, spouse of the said

James Campbell, in conjunct fee and their heirs of the 13 s. 4 d. lands of Glenbuk in said lordship which he is giving in dowry with his said daughter to the said James Campbell, paying yearly the customary duties. Dated Glenbuk, 31st March 1573; witnesses, Robert Campbell of Kingancleuch, John Jhoneston, son and heir apparent of John Johneston in Coitts, and John Gemmel, notary. The charter of confirmation dated Edinburgh, 10th May 1574; witnesses, Mr. Robert Coluile, Edward Mikiljohne, Robert Quhyte and Henry Bavérage, notary. (f. 15.)

Precept of *Clare Constat,* in favour of William Hamiltoun heir to the deceased William Hamiltoun of Sanchare, knight, his father, of the lands of Over and Nether Sorn with the grain and fulling mills, the lands of Mosgavill, the lands of Lymmerhauch, the three merk lands of Grenokmains, the four merk lands in Ovirvod called Linburne, the three merk and 11 s. lands of Dykseill, the 5 s. lands called McMichaellsbog with their pertinents lying in said lordship, also in the 13 s. 4 d. lands called Monkhill, Jakisfald, Ruthaker and Tuastanecross in the burgh of Ayr and shire thereof, with the mill and mill lands of Milburne and astricted multures of the lands of Barmuir, with water rights in Lochley, and services of the tenants of Barmuir, also in the 15 s. lands of Grenoktoun and the 6 s. 8 d. lands of Redwra in the shire of Ayr. Dated Edinburgh, 13th May 1574; witnesses, Mr. Robert Coluile, Robert Farquhar, younger of Gillmiliscroft, Edward Mikiljhone, Robert Quhyt and Henry Baverage, notary. Note these lands as contained in the retour pay the duties following,—Over and Nether Sorne with the mills 16 merks, Mosgavill £8, 6 s. 8 d., Grenokmains, Linburne, Dykfeild, McMichaels Bog, Monkhill, Jakisfald, Ruthaker and Tuastanecross and the mill of Milburne, £22, Limmerhauch £4, Grenoktoun and Redwra 31 s. 3½ d., in all £46, 11 s. 3 d. (f. 16.)

Precept of *Clare Constat,* in favour of Hugh Farchar as heir to the deceased Hugh Farchar in Crakistoun, his father, in the 20 s. lands of Redwra in Barmuir in the

said lordship, paying yearly 28 s. 10 d. Dated Edinburgh, 17th June 1574; witnesses, Mr. Robert Coluile, Mathew Gawe, David Wrycht, Edward Mickiljohne, Robert Quhyt and Henry Baverage, notary. (f. 17.)

Precept of *Clare Constat,* in favour of Bernard Farchar, as heir to the deceased George Farchar of Over Katherine in the 21 s. 6 d. lands of Over Kyllismuir in said lordship, paying yearly 31 s. 2 d. Dated Edinburgh, 17th June 1574; same witnesses. (f. 17.)

Obligation by Homer Maxvell of Portarrakn, arrating that the deceased James, Commendator of Melrose, granted a charter to his deceased father in liferent and to James Maxvell, 'my' brother, and his heirs of the 20 s. lands of Glengunzok in the barony of Dunsheir and shire of Dumfreise, dated 29th March 1554, which charter wanted through negligence the common seal, and as Alexander, Commendator of Culros, has now caused the common seal to be put to the said charter at the date hereof, he obliges himself that the same shall be in no way prejudicial to him or James, Commendator of Melrose, in respect of any question that may arise thereanent. Dated Edinburgh, last June 1574; witnesses, Mr. John Moscrop, advocate, Thomas Blair, his servant, John Tailzer and Henry Baverage, notary. (f. 17.)

Precept of *Clare Constat,* in favour of Janet Richeard as heir of the deceased Thomas Richeard, her father, in the 15 s. lands of Nethervode called Harvode in the lordship of Kyllismuir. Dated Vester Cumrie, 26th July 1574; witnesses, Mr. Robert Coluile, Robert Burrell and Robert Quhyt. (f. 18.)

Charter confirming a charter by Andrew Paterson to Mathew Reid of the 8 s. 9 d. lands of Dalquhram paying 8 s. 9 d. as the old rent, 4 d. for arreage and carriage, 9 d. for bondage silver and 3 s. 3½ d. of augmentation with duplication and suits of court and thirlage to the mill (date not given). The confirmation is dated Cumrie, 10th July 1574; witnesses, Mr. Robert Coluile, Robert Quhite and Robert Burrell. (f. 18.)

Note of another Charter of Confirmation of a charter by the said Andrew Paterson to the said Mathew Reid of the 4 s. 4⅓ d. lands of Dalquhram held for payment of 6 s. 7 d., dated as the last. (f. 18.)

Note of Precept of *Clare Constat,* in favour of Elizabeth Symone, as heir to her deceased sister, Agnes Symone, daughter and one of the three heirs portioners of the deceased Robert Symone of Dalquhram, in the 35 d. lands of the 12 s. 9 d. lands of Dalquhram, paying yearly 4 s. 4 d. Dated 1st September 1754; witnesses, Mr. Robert Coluile, Robert Burrell and Robert Quhyte. (f. 18.)

Charter to the Commendator's father, William Douglas of Lochlevin of the following lands, occupied by the following parties: the 30 d. lands in Brigend of Bargour presently occupied by John Vode in the lordship of Kyllismuir, and the 5 s. lands by Archibald Patoun, the 7 s. 6 d. lands in Bargoure formerly occupied by Robert Walker, the 7 s. 6 d. lands by William Smyth, the 2 s. lands by Malise Law, the 33 s. 4 d. lands by Elizabeth Tait, the 13 s. 4 d. lands by Ninian Ketht, the 3 s. 4 d. lands by John Maxvell, the 3 s. 4 d lands by William Fischer, the 3 s. 4 d. lands by John Law, the 5 s. lands of Bargowre by Malise Law, the 17 s. lands by John Johnstoun, the 22 s. lands by John Bowie and William Lambert, the 4 s. 4 d. lands by William Sawer and Alexander Gibsone, the 6 s. lands by David Stewinsone *alias* Fowler, the whole of the said lands in Bargoure extending to a £6, 15 s. 6 d. land; also the 58 s. lands of Montgarsuod by George Campbell and his subtenants, the 40 s. lands of Nether Quhithaucht by William Campbell, tutor of Sesnoke, the 42 s. lands of Auchinbraine by Hugh Campbell and his subtenants, the 18 s. 6 d. lands of Auchmilling by Richard Sawer, also the 13 s. 4 d. lands of Barboicht by Richard Campbell, the 17 s. lands of Auchmunnoche by the said Richard and his subtenants, the 10 s. lands of Auchmunnoche by George Broun, the four merk lands of Over Blaksyde by the foresaid William Campbell and Patrick Makilvernocht, Francis Wode and John Broun, his subtenants, those four merk

lands of the Hall of Bublanvod by Adam Douglas of Vattersyd and Thomas Gibsone, the four merk lands of Auldhousburne by James, George and Gilbert Campbell and the Laird of Gaitgirth, the 20 s. lands of Dernehunche [? Dernehauche] by William Carmichell, David Broun and Ninian Gawe, the 32 s. lands of Cowfaldshawe by Mungo Campbell of Brownsyd and Mungo, his son, and Willam Gray, and the four merk lands of Midilfeild by James Reid and his subtenants, extending in all to a 44 merk 13 s. land in said lordship of Kyllismuir, paying yearly 44 merks and 13 s. as the old rent and 22 s. 6 d. for arreages and carriages being 6 d. for each merk land thereof, and 33 s. 9 d. for bondage silver being 9 d. for each merk land, and £11, 5 s. of augmentation, with duplication, service at courts, and thirlage to the mills of Mauchline. Dated Edinburgh, 1st July 1575; witnesses, Mr. Robert Coluile, Robert Houburne, Peter Douglas, James Drisdaill, Alexander Baverage and Henry Baverage, notary. (f. 18.)

Precept of Sasine by the Iconimus, in favour of Walter Scot now of Braxholme as heir served to the deceased Walter Scot of Braxholme, knight, his great-grandfather, in the lands of Apiltreleis, Meirbank, Souttercroft, Cartleis and the half of Halkburne in which John Hunter now dwells; dated at Edinburgh 14th June 1575. (f. 20.)

Another Precept of Sasine to the said Walter Scot of Branxholme as heir to his deceased father, Walter Scot of Branxholme, knight, in the tower called Hassindenetour or Monkstour, the lands of Ringwodfeld and office of bailiary of Melroseland, Ettrikhade, Rodonaldland [*sic*], Eskdailmuir, Eist Teuedall-land and Vginche, also of the lands of Northhous and Thirlestane as of the said office of bailiary; dated Vester Cumry, 15th October 1574. (f. 20.)

Charter confirming a charter by John Bell of Middilthrid to Andrew Bell in Barquhois, his brother, of the 5 s. lands of Middilthrid in Netherwod in the lordship of Kyllismuir, paying yearly 5 s. and 2½ d. for arreage and carriage, 9 d. for bondage silver and 22½ d. of augmentation with

duplication, service at courts, and thirlage to the mills of Mauchline. Dated Barquhois, 24th August 1571; witnesses, John Spottiswode of Fowlar, Robert Vilsone in Barquhois and Walter Angus. The charter of confirmation is dated Edinburgh, 4th November 1574; witnesses, Mr. Robert Coluile, Edward Mikiljohne, Robert Quhyt and Henry Baverage, notary. (f. 21.)

Precept of *Clare Constat,* in favour of George Michell as heir to his father the deceased Andrew Michell in the 6 s. 8 d. lands of Dalsanguen in said lordship. Dated Edinburgh, 4th November 1574; witnesses, Mr. Robert Coluill, James Michell in Burnhade, Andrew Michell in Braheid, Robert Quhyt and Henry Baverage, notary. (f. 21.)

Charter of Confirmation of a precept of sasine by Robert Campbell of Kingyancleucht and Elizabeth Campbell, his spouse, in favour of James Michell of Burnhade, of the 30 d. lands of Netherwode extending to half of a 5 s. lands now occupied by William Richeard in Harvode, in said lordship. Dated Kingyancleucht, 24th July 1565; witnesses, Andrew Michell of Braheid, Robert Campbell, brother german of John Campbell in Sandhill, Robert Miller in Hauch and Thomas Caldow. The precept is directed to William Reid. The confirmation is dated Edinburgh, 4th November 1574; witnesses, Mr. Robert Coluile, John Durie, minister, Robert Quhyt and Henry Baverage, notary. (f. 22.)

Precept of *Clare Constat* in favour of David Durie as heir to his father the deceased John Dury of Curdnyse in the lands of Curdnyse in said lordship, held by the said deceased John Dury from William Barclay; also in the lands of Garpoll belonging to the said deceased William Barclay in said lordship, paying yearly for Curdnyse eight merks and for Garpoll six merks with the other duties used and wont. Dated Edinburgh, 21st February 1574; witnesses, Mr. Robert Coluile, Mathew Gawe, Robert Quhyt and Henry Baverage, notary. (f. 22.)

Charter confirming a charter by Elizabeth Symone, daughter of the deceased Robert Symone in Dalquhram, to Andrew Miller in Muirmilne, of the 5 s. 10 d. lands of

Dalquhram occupied by John Bege in the said lordship, paying yearly 5 s. 10 d., 2 d. for arreage and carriage, 6 d. for bondage silver, and 2 s. 2 d. of augmentation, with duplication, etc. Dated Edinburgh, 13th March 1574; witnesses, Mr. Mathew Gaw, David Wrycht, Robert Quhyt and Henry Baverage, notary. (f. 23.)

Charter to Mr. John Bartan and Janet Legat, his spouse, daughter of the deceased John Legat, last feuar of the subjects aftermentioned, of that craig where formerly was built the saltpan called the Middilpan and granary thereof, namely the westmost vault lying among the salt pans of Prestonpans between our salt pan called Panhill on the east, our other salt pan called the Vestmestpan on the west, the common highway on the south and the extreme ebb of the sea on the north, in the barony of Ahamir, constabulary of Haddington and shire of Edinburgh, paying yearly 12 bolls of salt. Dated Edinburgh, 4th January 1574; witnesses, Mr. Mathew Gaw, Peter Douglas, Robert Quhyt and Henry Baverage, notary. (f. 23.)

Note of Charter to John Hamiltoun and Helen Bissait, his spouse, and their heirs, of that craig on which the salt pan called Panhill was built by the said John Hamilton at his cost and the granary thereof, namely the house called the Stabill adjoining our houses called the Voults, occupied by the possessors of our other three salt pans there, lying among the salt pans of Prestonpans between the salt pan called the Midilpan on the west, our salt pan occupied by Walter Hall on the east, the highway on the south, and the sea ebb on the north, in the said barony, dated and attested as the last. (f. 24.)

Note of Charter to Robert Hamiltoun, son of the Laird of Preston, of the craig and salt pan built thereon called Westpan, built at his expense and occupied by him with the granary thereof, lying in the salt pans of Prestonpans between the midilpan on the east and the salt pan occupied by Walter Hall on the west, the highway on the south, and the sea ebb on the north, dated and attested as the last. (f. 24.)

Note of Precept of *Clare Constat,* in favour of James Hodge as heir of the deceased Janet Hodge, his brother's daughter, in the 35 d. lands of Veltoun occupied by Bridget Fischer in the lordship of Kyllismuir paying yearly 24 s. 2 d. etc. Dated Edinburgh, 6th March 1574; witnesses, Mr. Mathew Gaw, David West, Robert Quhyt and Henry Baverage, notary. (f. 24.)

Charter confirming a charter by Thomas Rannald in Mauchline to George Reid, merchant in Mauchline, of the 9 d. lands of Veltoun called the Coitleyis in said lordship, paying yearly 6 s. 8 d., and 4 d. of augmentation with duplication at the entry of heirs, etc. Dated Mauchline 29th March 1574; witnesses, Robert Gilmure, younger, John Ronald, Mungo Vilsone and Mr. Peter Primrose. The charter of confirmation is dated Edinburgh, 10th May 1574; witnesses, David Wrycht of Langsyd, Mr. Peter Primrose, Robert Quhyt and Henry Baverage. (f. 24.)

Note of Precept of *Clare Constat,* in favour of Andrew Allan as heir to his father the deceased William Allan in Maucheline in 6½ acres of arable land in the town of Maucheline occupied by the said deceased William Allan, and two acres of meadow and pasture in the Mosuard and a small piece of the peatary of Capilmoss belonging to the said acres with houses, barn and gardens, etc., upon the said lands in the town of Mauchline, also a small garden sometime occupied by the deceased Robert Caldwell, likewise a merk land in Veltoun and 10 s. land called the Yet and the 10 s. lands of the east half of Knokscharie and the 13 s. 4 d. lands of Conolley with a small piece of the peatary of Capilmoss belonging to them, also common pasture in the commonty of Mauchline, extending in all to an 11 s. 8 d. land, lying within the £10 lands of the Mains of Mauchline in said lordship, paying yearly five merks 11 s., etc. Dated Edinburgh, 10th March 1574. (f. 25.)

Note of a Precept of *Clare Constat,* in favour of John Reid as heir to his father, Adam Reid of Barskimming, in the 40 s. lands called Monkard sometime occupied by the

said Adam, and the 40 s. lands of Quhithauch sometime occupied by Robert Arkill and —— Craig in said lordship, held for the yearly payment of £4, 7 s. 9 d., etc., dated as the last precept. (f. 25.)

Note of Precept of *Clare Constat,* in favour of Adam Reid as heir to his father's brother, the deceased John Reid of Auchmullinghill, in the 6 s. 8 d. lands of Auchmullinghill occupied by himself in said lordship, paying yearly 8 s., etc., dated as the preceding precepts. Certificate by Mr. Peter Primrose, minister at Maucheline, that the said Adam Reid, brother's son to John Reid, foresaid, of Auchmullinghill, is nearest and lawful heir to the said deceased John Reid, his father's brother, and so has the best right to the lands, and that the other two, namely Andrew Allan and John Reid, are nearest and lawful heirs and sons to the persons aforesaid. This he testifies on his honour and fidelity, dated Edinburgh, 10th March 1574. Signed Mr. Peter Prymrose. There is a note that a five years' tack has been granted to the said Mr. Peter and his heirs of the date foresaid, of five roods of 'unland' at the east end of the town of Mauchline with a half acre at the north side of the said town called the Green whereupon the butts stand, for payment of 8 d. (f. 25.)

Charter to Walter Hall in Saltprestoun and Margaret Bissat, his spouse, in liferent, and Thomas Hall, their son and heir apparent heritably of that saltpan with the craig, houses and buildings and other pertinents thereof formerly possessed and occupied by the said Walter Hall, which was burnt and destroyed by the English and rebuilt by him at great expense, lying in the town of Saltprestoun between the salt pan of Gilbert Handerson on the east and another salt pan belonging to the said monastery formerly occupied by Elizabeth Hamilton and William Seytoun, her spouse, and now by John Hamilton on the west, the sea ebb on the north and the highway on the south, also a girnelhous called the Eistmestvolt of the said salt pan with houses and buildings formerly occupied by the said Walter Hall in

the town of Saltpreston between the girnel house called the Stabills occupied by the foresaid John Hamilton on the east and the girnel house called the Vestmestvolt occupied by Mr. John Berton on the west, the common passage through the salt pans on the north and the highway on the south, in the constabulary of Haddington, paying yearly 12 bolls of salt. Dated Edinburgh, 14th March 1574; witnesses, Mr. Mathew Gaw, David Vrycht and Robert Quhyt and Henry Baverage, notary. (f. 25.)

Charter confirming a charter by Patrick Bege, with consent of John Bege of Dalquhram, his father, to Mathew Reid in Blaksyde of the 35 d. lands of Dalquhram occupied by the said John Bege, lying in the lordship of Kyllismuir, in terms of disposition dated Carbello miln, 29th March 1575, paying yearly 2 s. 11 d. and 1½ d. for arreages and carriages, 3 d. for bondage silver and 12 d. of augmentation, extending in all to 4 s. 1½ d. with duplication at the entry of heirs; dated Dalquhram, 2nd April 1575; witnesses, James Reid in Veluod, James Michell of Burneheid, James Reid in Hilar, George Reid of Brintscheill and Adam Reid of Hilar, John Gemmel being notary. The charter of confirmation is dated Edinburgh, 27th April 1675; witnesses, Mr. Robert Coluile, Edward Milkiljohne, Robert Quhyt and Henry Baverage, notary. (f. 26.)

Precept of *Clare Constat,* in favour of John Duncan in Logane as heir to the deceased Richard Duncan in Logane, his father, in the 18 s. 4 d. lands of Logane formerly occupied by the said deceased Richard in said lordship; dated Edinburgh, 28th April 1575; witnesses, Mr. Robert Coluile, Andrew Michell, Robert Quhyt and Henry Baverage, notary. (f. 26.)

Charter confirming a charter by James Hodge in Gresyards to Thomas Boyne in Veltoun of the 35 d. lands in Veltoun occupied by Bridget Fischar and George Reid, her spouse, in said lordship, paying yearly 24 s. 6 d. with duplication at the entry of heirs, service at courts, etc.; dated Sornehill, 11th April 1575; witnesses, Bartilmo Orok and John Cumming, fullars, and James Davidsone

and John Birny. The liferent of Bridget Fischar is reserved. The charter of confirmation is dated Edinburgh, 15th April 1575; witnesses, Mr. Robert Coluile, John Hall, Edward Mikiljohne, Robert Quhyt and Henry Baverage, notary. (f. 26.)

Charter confirming a charter by Robert Traine to David Reid, son of Mungo Reid of Drumfrok, of the 5 s. lands of Vuer Mikilwod now occupied by John Veddell in said lordship, paying yearly 5 s. with 22½ d. in augmentation and duplication at the entry of heirs, etc.; dated Nether Tempilland, 13th July 1575; witnesses, Hugh Reid in Netherfeld and William Reid in Mauchleine. The charter of confirmation is dated Culros, 29th September 1575; witnesses, Henry Levingstoun, Edward Mikiljohne, Robert Burrell, Robert Quhyt and Henry Baverage, notary. (f. 27.)

Charter confirming a charter by John Donald in Katherine to his father's brother, James Donald, of the 3 s. lands of Katherine now occupied by John Wilson and Janet Vallece in said lordship, paying yearly 3 s. 1½ d. for arreage and carriage, 9 d. for bondage silver and 13½ d. of augmentation, with duplication at the entry of heirs, service at courts, etc. Dated Nether Tempilland, 6th September 1675; witnesses, John Smyth, smith in Cumnok, and Robert Asloane there, John Gemmill being notary. The charter of confirmation is dated Edinburgh, 30th October 1575; witnesses, David Vrycht, Archibald Primrose, Edward Mickiljohne, Robert Quhyt, Mungo Campbell and Henry Baverage, notary. (f. 27.)

Charter confirming a charter by John Traine in Burne of Neid to his son, Adam Traine, of his 3 s. 6 d. lands of Nether Quhitflatt, paying yearly 3 s. 6 d. as the old rent with 1½ d. for arreage and carriage, 9 d. for bondage silver and 15½ d. of augmentation with duplication at the entry of heirs, service at courts, etc.; dated Nether Quhitflat, 24th February 1571; witnesses, Thomas Alexander in Sorne, John Vilsone, elder in Nether Quhitflat, William Vat and John Gemmill, notary. The charter of confirma-

tion is dated Edinburgh, 29th November 1575; witnesses as in the preceding charter. (f. 28.)

Tack to Elizabeth Maxvell, Lady Tinduall, for all the days of her lifetime, of the 36 s. 8 d. lands in the town of Brimskayth in the parish of Drumfreis and shire thereof, which is part of the patrimony of the Abbey of Melrose, presently occupied by the said Elizabeth Maxvell, paying yearly 36 s. 8 d.; dated Edinburgh, 5th February 1575; witnesses, William Dundass, Edward Mickiljohne, Robert Quhyte and Henry Baverage, notary. (f. 28.)

Precept of *Clare Constat,* in favour of Jonn Vallece as heir of the deceased William Vallece of Auchinveit in the 32 s. lands of Barmuir called Auchinveit and the 20 s. lands of Mosbowgar in the lordship of Kyllismuir, paying yearly £3, 14 s. 3 d.; dated Edinburgh, 2nd May 1576; witnesses, Mr. Peter Primrose, William Dundas, Robert Quhyt and Henry Baverage, notary. (f. 28.)

Precept of *Clare Constat,* in favour of Nathaniel Campbell as heir of the deceased Robert Campbell of Kingyeancleuch, his father, in the 31 s. lands of Overhaucht called Kingyeancleucht, the 5 s. lands of Maknaythyscroft, the 30 d. lands of Scheilde, the 12 s. lands of Netherhaucht within Kingyeancleuch, also the 6 s. lands of Netherhauch, the half merk land of Villokistoun, the 4 s. lands of Boigend and the meadow of Makclannochanstoun, being a 12 d. land, and the fishings in the water of Ayr within bounds contained in the charter of the said Robert, also the 21 s. 9 d. lands of Brintscheillis with the salmon fishing in the said water of Ayr, and the site of the fulling mill of the Haucht, with a tenement and garden in the town of Mauchleine called the Byreknowe, as bounded in the said charter, within the lordship of Mauchleine, paying yearly £5, 6 s. 3 d.; dated Edinburgh, 3rd May 1576; witnesses, William Dundas, Mr. Peter Primrose, minister, George Campbell, Robert Quhyt and Henry Baverage, notary. (f. 29.)

Charter confirming a charter by Robert Fischear in Over Mikilwod to George Campbell, Tutor of Kingyeancleucht, of the 4 s. 2 d. lands of Over Mikilwod in the lordship of

Kyllismuir, paying yearly 4 s. 2 d., 2 d. for arreage and carriage, 9 d. for bondage silver, and 18½ d. of augmentation, with duplication at the entry of heirs, service at courts and in the field, etc.; dated Ayr, 10th March 1575; witnesses, Charles Campbell, burgess of Ayr, Charles Campbell, his son, James Bannatyne, burgess there, and John Kennedy in Ayr. The charter of confirmation is dated Edinburgh, 3rd May 1576; same witnesses. (f. 29.)

Note that on the 16th May 1576 a confirmation was made of three charters by William Hamiltoun of Sanchare to William Dumbare of Blantyre, the first, of the eight merk lands of Sorn Over and Nether with the tower, etc., held for 1 d. blench; dated Ayr, 29th January 1574; the second of the four merk lands of Linburne, the 40 s. lands of Grenokmains, and 40 s. lands of Lymracht to the said William Dunbar and Agnes Hamiltoun, his spouse, for a 1 d. blench, and payment to the Abbot of Melrose of eight merks for Linburne, £4 for Grenokmains and £4 for Lymracht; dated Edinburgh, 14th February 1574; and the third, of the 52 s. lands of Dykfeild, the £4 land of Mosgauill and 5 s. land of Makmichellsboige for 1 d. blench; dated Ayr, 26th March 1576. (f. 30.)

Precept of *Clare Constat,* in favour of James Grahame as heir of the deceased John Grahame, younger of Gillisbie, in the lands of Nethir Newbyres with pendicles lying in the lordship of Eskdalmuir, regality of Melrose, stewartry of Annandale and shire of Dumfreis; dated Edinburgh, 23rd June 1576; witnesses, Mr. John Provand, William Dundas, Edward Mikiljohne, Robert Quhyt and Henry Baverage, notary. (f. 30.)

Charter confirming two charters (1) by William Aird in Nether Brintscheill to John Aird, his son, of the 6 s. 8 d. lands of Nether Brintscheill occupied by the said William in the lordship of Kyllismuir, paying yearly 16 s. 8 d., 7½ d. for arreage and carriage, 9 d. for bondage silver and 6 s. 3 d. of augmentation, with duplication, service at courts, etc.; dated Hoilbrintscheill, 4th February 1575; witnesses, George Campbell of Montgarfurd, Richard Campbell in

Barboghe, John Campbell in Logan and Adam Aird in Over Kathie. (2) Charter by Bessie Gray, one of the daughters and heirs portioners of the deceased Luke Gray in Dalquhram, to the said John Aird in fulfilment of a contract of marriage between her with consent of Agnes Paterson, her mother, and William Aird in Hoilbrintscheill for the said John Aird, his son, dated 4th February 1575, of the half of the 8 s. 9 d. lands of Dalquhram extending to a 4 s. 4½ d. land thereof in said lordship, paying yearly 6 s. 7 d. with duplication at the entry of heirs; dated Dalquhram, 9th February 1575; witnesses, Richard Campbell in Barboghe, Adam Aird in Katherine, John Leppreuik in Grenoktoun, and John Gemmil, notary. The charter of confirmation is dated Edinburgh, 7th July 1576; witnesses, Mathew Coluile, Edward Mikiljohne, Thomas Boynd, Robert Vatsone and Henry Baverage, notary. (f. 31.)

Precept of *Clare Constat,* in favour of Mungo Andersone as heir to his deceased father, John Andersone, in the 5 s. 2 d. lands of Bargoure Over occupied by the said JohnAnderson in said lordship, paying yearly 8 s. ½ d.; dated Edinburgh, 7th July 1576; witnesses, John Aird, Thomas Boynd, Edward Mikiljohne, and Henry Beverage, notary. (f. 31.)

Charter to Thomas Reid in Barskimming of the 35 d. lands of Veltoun occupied by Bridget Fischer, which lands formerly belonged to Thomas Boynd, spouse of the deceased Janet Hodge, and were resigned by him; paying yearly 24 s. 2 d. with duplication at the entry of heirs and service at courts, etc.; dated Cumrie, 11th August 1576; witnesses, Mr. Mathew Gaw, Robert Burrell, Robert Vatsone and Henry Baverage, notary. (f. 31.)

Charter confirming a charter by George Home, elder of Spott, to his son, George Home, fiar of Spott, in terms of contract between them and the deceased David Hamiltoun of Bothuelhauch and Jean Hamiltoun, his daughter, dated Edinburgh, 15th February 1555, of the lands of Hartsyde within the shire of Edinburgh and constabulary of Haddington, the destination, on failure of heirs of the marriage

of the said George Hume, younger, and Jean Hamiltoun, being to the heirs male between Janet Home, daughter of the granter, and Alexander Home of Manderstoun, to be held, for yearly payment of £40. The granter reserves his own liferent and that of Katherine Coluile, his spouse, in terms of contract between the deceased William, Commendator of Culros and her on the one part, and the granter and his said son and Jean Hamiltoun, his spouse, on the other; dated 26th February 1571. The charter is dated Edinburgh, 1st June 1576; witnesses, James Harlaw, writer, James Sandersoun, Robert Burrell, David Brand, James Coluile, Adam Maistertoun and Henry Baverage, notary. (f. 32.)

Charter to Abraham Wilson, second son of Robert Wilson of Lindsays Hill, of the 9 s. 6 d. lands of Logan which belonged to John Michell and were resigned by him, lying in the lordship of Kyllismuir, paying yearly 9 s. 6 d. 4½ d. for arreage and carriage, 9 d. for bondage silver and 3 s. 9 d. of augmentation with duplication at the entry of heirs, service at courts, etc., with precept of sasine directed to Thomas Boyne; dated Vester Cumrie, 18th September 1576; witnesses, Henry Levingston, Robert Burrell, David Brand and John Anderson. (f. 33.)

Letter of Factory in favour of John, Lord Maxwell, who and his predecessors have for many years past been kindly tenants of the Abbots of Melrose in the lands of Eskdailmuir within the lordship of Eskdaill and shire of Drumfreis, together with the Kirk of Westerkar with the teinds, whereby they appoint him and his heirs their factors for uplifting the rents of the tenants and occupiers of the lands of Eskdailmuir and parish church and parish of Westerkar; dated Edinburgh, 28th October 1576; witnesses, Robert Coluile of Clesche, Robert Maxwell of Cowhill and Mr. William Howstoun. (f. 35.)

Discharge by the Iconimus in name of the Commendator to John, Lord Maxwell, kindly tenant of the lands of Eskdailmuir and Kirk of Westerkar, for £750 which he has

paid, being due by him as tacksman thereof; dated Edinburgh, 28th October 1516, same witnesses. (f. 36.)

Charter confirming a charter by John Wilson in Green and Janet Wilson his daughter, lady of the fee, to Andrew Wilson and the heirs procreated between him and the foresaid Janet, of the 20 d. lands of Grein in the lordship of Kyllismuir, paying yearly 10 s. and 7½ d. in augmentation with duplication, service at courts, thirlage to the mill of Mauchleine, etc.; dated Mauchleine, 10th April 1576; witnesses John Spottiswood of Fowlar, John Mathi in Sorne, and John Gemmill, notary. The liferents of the said John Wilson and Janet, his daughter, are reserved. The charter of confirmation is dated Edinburgh, 3rd November 1576; witnesses, Adam Dundas, John Hutoun, and Robert Burrell. (f. 37.)

Charter to Hugh Campbell, younger, son and heir apparent of Hugh Campbell of Killocht, of the four merk 3 s. 4 d. lands of Lochlie and the three merk and 4 s. lands of Auchinbrome and the three merk lands of Killaucht in said lordship, which formerly belonged to Hugh Campbell of Killaucht, father of the foresaid Hugh Campbell, younger, and were resigned, paying yearly for Lochlie four merks 3 s. 4 d., 2 s. 1½ d. for arreage and carriage, 4½ d. for bondage silver and 15 d. of augmentation; for Auchinbrome and Killaucht, six merks 4 s., and 3 s. 1½ d. for arreage, 4½ d. for bondage silver and 3 s. 8 d. of augmentation with duplication, service at courts and in the field, etc.; dated Edinburgh, 6th December 1576. (f. 39.)

Charter confirming a charter by George Michell of Dalsangan to Andrew Michell of Brayheid of the 40 d. lands of Dalsangan in said lordship, paying yearly 3 s. 4 d., 1½ d. for arreage and carriage, 4½ d. for bondage silver and 15 d. of augmentation with duplication, service at courts and thirlage to the mills of Mauchline, etc., with precept of sasine directed to William Michell in Blakfurde. Dated Edinburgh, — December 1576; witnesses, John Hutoun, servitor to the Iconimus, Robert Duncoit and Edward Mekiljone, burgess of Edinburgh. (f. 40.)

Precept of *Clare Constat,* in favour of —— Reid as heir to his father, James Reid in Nether Craikstoun, in the 43 s. 4 d. lands of Middilfeild in Overwod with pertinents in said lordship, paying yearly £3, 16 s. 1 d.; dated Edinburgh, — January 1576; witnesses, Mr. Peter Primrose, minister, John Hutoun and Robert Duncott. (f. 42.)

Percept of *Clare Constat,* in favour of Elizabeth Reid as heir to the deceased William Reid, her brother german, in the 2 s. lands of Mongarswod in said lordship, paying yearly 3 s. 7 d.; dated at Edinburgh, 16th January 1576; same witnesses. (f. 42.)

Charter to Mr. Peter Primrose and his heirs and assignees of the 11 s. 8 d. lands of Meikillwod, commonly called Balquhilling, in said lordship, which formerly belonged to Thomas Duncan, son and heir of the deceased William Duncan of Mekillwod, resigned by him, paying yearly 17 s. 2½ d.; dated Edinburgh, 12th January 1576; witnesses, John Spottiswod of Fowllar, John Huton and Robert Duncoit. (f. 43.)

Charter confirming a charter by Andrew Michell in Mekillwodhill to Andrew Micheell of Brayhaid of the 5 s. lands of Mekillwod called the Hill in said lordship, paying yearly 5 s. with 2½ d. for arreage and carriage, 9 d. for bondage silver and 20½ d. of augmentation with duplication, service at courts and in the field, thirlage to the mills of Mauchline, etc.; dated Miggillwodhill, 23rd October 1576; witnesses, William Lauchtlane, younger in Clewis, John Michell in Harne and John Gemmill, notary. Reservation is made of the liferent of the said Andrew Michell in Hill. (The confirmation is not dated.) (f. 44.)

Precept of *Clare Constat,* in favour of Robert Gaw as heir to his deceased father, Thomas Gaw of Wester Glenbuk and Grene, in the one merk lands of Wester Glenbuk and Grene in said lordship, paying yearly 19 s. 7 d.; dated at Culross, 13th February 1576 (no witnesses). (f. 46.)

Charter confirming a charter by John Starmont of Hauche to Richard Milnar, carpenter in Hauche, of the 2s.

lands of Nether Hauche in said lordship, paying yearly 2 s., 1 d. for arreage and carriage, 9 d. for bondage silver, and 9 d. of augmentation with duplication at the entry of heirs, service at courts and in the field, thirlage to the mill of Mauchline, etc. The charter contains precept of sasine directed to James Michell of Turnohill, and is dated Runnok, 27th September 1576; witnesses, George Cambell of Montgarswode, John Spottiswod of Foular, John Reid of Ballochtmyle, William Reid of Reidbrey and Hugh Reid of Nether Feild. The charter of confirmation is dated at Culros, 2nd May 1577; witnesses, John Hutoun, Robert Birrell, David Wricht, servitors to the Iconimus. (f. 47.)

Precept of *Clare Constat,* in favour of Moses Reid as heir to Hugh Reid, his brother german, in half the mill of Katherin and mill lands presently occupied by John Reid of Ballochmyllin, father of the said Moses Reid, with two soumes of grass within the lands of Katherin and half the astricted multures of the lands of Brentscheild, Hielar Over and Nether Hoil of Brentscheild, Daldilling, Hoilhous, Burneheid, Dalgane, Gilmiliscroft, Logane Hietath, Brakinhill, Drumfork, Glenschamerok, Lindesayis Hill, Clewis, Quheitslat, Chatherin, Montgarswode, Ballochmyllin, Blaksyd, Smiddieschaw, Daldrocht, Blindburne and Roundschaw with pertinents in said lordship, paying yearly £10, 10 s.; dated at Culros, 2nd May 1577; same witnesses. (f. 49.)

Charter to John Reid, younger in Ballochmyle, in the 40 s. lands of Overwod called Lammerburne and the 3 s. lands of Weltoun which formerly belonged to John Reid, elder, resigned by him and Marjory Wallace, his spouse, for this regrant; likewise half the mill of Catherin, the mill lands thereof and two soumes of grass within the lands of Catherin, also half of the astricted multures of the lands of Brintscheild (and the others contained in the immediately preceding precept), paying yearly for Ballochmyllin and Overwod £10, 2 s. 3 d., for Weltoun 25 s. 2 d., and for the half mill and mill lands, etc., £10, 10 s., extending in all to

£21, 17 s. 5 d. Reservation is made of the liferents of John Reid, elder, and Marjory Wallace, his spouse, and of certain payments from the respective lands. The charter is dated Culros, — May 1577; witnesses, John Hutoun and Robert Burrell, servitors to the Iconimus. (f. 49.)

Charter to William Reid in Montgarswod, and Elizabeth Reid, his future spouse, of the 2 s. lands of Montgarswod now occupied by the said Elizabeth in said lordship, which belonged to the said Elizabeth Reid as sister of the deceased William Reid, first feuar thereof, and were resigned, paying yearly 3 s. 7 d. and other services contained in the old infeftment; dated Culros, — May 1577 (no witnesses). (f. 52.)

Charter confirming a charter by James Reid in Velwod to Thomas Reid, his brother's son, of the 5 s. lands of Grenoktoun presently occupied by the said Thomas Reid and the 34 d. lands of Gresyards in said lordship, paying yearly 15 s. 7½ d., with duplication at the entry of heirs, service at courts, etc.; dated Grenoktoun, 8th January 1572; witnesses, John Bege in Dalchroine, John Uddart in Grenoktoun, Robert Uddart, his son, and John Gemmill, notary. The charter of confirmation is dated (not completed). (f. 53)

Charter confirming a charter by Andrew *alias* Dand Wilsoun in Newtoun to John Spottiswod of Fowllar of the 15 s. lands of Newtoun in the said lordship, paying yearly 21 s. 11 d., and 6 d. of augmentation; dated Fowllar, 23rd February 1572; witnesses, George Hamiltoun, younger, apparent of Rottinyaird, and John Masoun in Ayr. The confirmation is dated at the monastery of Melrose, —— 1577 (no witnesses). (f. 55.)

Precept of *Clare Constat,* in favour of Thomas Patersoun as heir to his deceased father, William Patersoun in Mauchling, in the 10 d. lands in Mauchling called Jakisyard in said lordship, paying yearly 7 s.; dated at Edinburgh, 12th November 1577; witnesses, John Spottiswod of Fowlar and several others. (f. 57.)

Precept of Sasine by the Commendator narrating the

retour of John Michell as heir to his deceased father, John Michell of Dalgane, in the 34 s. 10 d. lands of Dalgane in said lordship, paying yearly 49 s. 10 d. and other duties, and directing sasine to be given to the said John Michell therein; dated Edinburgh, 1st November 1577; witnesses, John Hutoun, Edward Mekiljone, burgess of Edinburgh, and Robert Duncoit. (f. 57.)

Charter to Charles Cambell of Horsecleuch, of the £3, 13 s. 2 d. lands of Bargour Over presently occupied by the said Charles and John Allene, Ninian Kayth, William Smyth, Robert Walker, Alexander Gibsoun, John Law, John Wode and Archibald Patoun, his subtenants, paying yearly £3, 13 s. 2 d. with other duties and 18 d. of augmentation with duplication, service at courts, thirlage to the mill of Mauchelen, etc.; dated Edinburgh, 4th November 1577; witnesses, William Douglas of Lochlewin, Robert Coluill of Cleiche and John Hutoun. (f. 58.)

Charter to George Cambell of Montgarswode, of the three merk lands of Montgarswode occupied by him and his subtenants, the 8 s. lands called Cuttirsland and the 4 s. 7½ d. land which Andrew Davie formerly occupied as kindly tenant, lying in said lordship, paying yearly three merks 12 s. 7½ d. and 4 s. of augmentation, being in all 56 s. 7½ d., with duplication at the entry of heirs, service at courts, etc., and thirlage to the mill called Katherin Mill; dated Edinburgh, 4th November 1577; same witnesses. (f. 59.)

Charter confirming a charter by Archibald Hamiltoun and Margaret Hamiltoun, conjunct fiars of the 17 s. lands of Helear in said lordship, occupied by Thomas M'Math, to John Farker, son of the deceased Bernard Farker of Katherin, paying yearly 27 s.; dated Edinburgh, 4th November 1577; witnesses, John Spottiswode of Fowllar and John Hutoun. (f. 61.)

Discharge to Alexander Balfour of Denemillin, heritable feuar of the lands of Allanschawis, Wolplaw, Thraipwod, Williamlaw, Quhitlie, Sorolesfeild, The Craig, Femeistaris lands, Salramedow, Cauldhuch, the £9 land of Reidpethe,

Walkerscroft, Frierland, Newtoun, Frierschaw, Tringillis, Mousland in Ferritoun, Kirkland of Hassanden and Caveris, the fishing of Tueid, the lands of Glenterie, Meghoip, Kirkhoip, Shorthoip, Craig, Langhoip, Suirhoip, Fairhoip, Espyhoip, Newgrangemiln, Gautounsyd with the teinds, Annay with the teinds, Moshouses with the teinds, Femeisteris lands with the teinds, Priorwod with the teinds, Kirklawis with the teinds and Westhousmill with the teinds, lying within the lordship and regality of Melrose, and the lands of Hopcartane in the shire of Peebles, for all feu farm duties, rents, kanes, customs, etc., due by him to the Abbacy of Melrose, preceding the date hereof; dated Edinburgh, 12th November 1577. (No witnesses.) (f. 62.)

Charter confirming a charter by Thomas Reid, son of the deceased Gilbert Reid in Welwod, of the 30 d. lands of Grenoktoun now occupied by James Reid in Welwod, the 7 d. lands of Garseyards now occupied by Margaret Hamiltoun and others in the lordship of Kyllismuir, paying yearly 5 s. 10 d., 1½ d. for arreage and carriage, 4½ d. for bondage silver and 18 d. of augmentation with duplication, service at courts, etc.; dated Garseyards, 19th June 1574; witnesses, Mungo Reid of Drumfork, Hugh Reid in Netherfeild, and William Reid of Rudwray, John Gemmill being notary. Charter of confirmation is dated Edinburgh, 28th November 1577; witnesses, William Mastertoun, Robert Birrell and Robert Dincot, servitors to the Iconimus. (f. 64.)

Memorandum that on 29th November 1577 a charter of confirmation of the 7 s. lands of Dalsangan granted by John Rowand, son and heir of the deceased Robert Rowane of Dalsangan to John Rowane in Dalmilling, his cousin, was granted, the said John Rowane, paying yearly 10 s. 7½ d. (f. 65.)

Precept of *Clare Constat*, in favour of William Wallace as heir to his father the deceased William Wallace of Brighous, in the 40 s. 2 d. lands of Nether Bargoure, the 3 s. 10 d. lands of the same and the 5 s. lands thereof

extending in all to a 51 s. land in said lordship of Kyllismuir; dated Edinburgh, 29th November 1577; witnesses, William Masterton, Robert Birrell, Edward Mekiljohn, burgess of Edinburgh. (f. 65.)

Charter confirming a charter by Robert Reid, elder of Barquhois, to his son, Robert Reid, of the 9 s. 4½ d. lands of the 18 s. 9 d. lands of Barquhois in the said lordship, paying yearly 3 s. 10 d. with duplication; dated Machlein, 12th January 1570; witnesses, Robert Cambell of Kenichaucht, George Cambell, his brother german, Thomas Vilsone of Barquhois, Robert Vilsone there, and Walter Angus in Machlein. The charter of confirmation is dated Edinburgh, 3rd September 1577; witnesses, Robert Birrell, Robert Dincot and Mr. Peter Primrose, minister. (f. 66.)

Precept of *Clare Constat*, in favour of John Law as heir of his deceased father, John Law, in Barnaicht, in the 6 s. 8 d. lands of Barnaicht in the said lordship; dated Edinburgh, 3rd December 1577; same witnesses. (f. 68.)

Charter confirming a charter by Alexander Reid of Garsill to John Reid, tailor, of the 4 s. 6 d. lands of Garsell in said lordship, paying yearly 10 s., and 8 d. of augmentation with duplication, service at courts, etc.; dated Machlein, 20th September 1577; witnesses, Mr. Peter Primrose, minister at Machlein, Walter Angus there and John Kenidy there. The charter of confirmation is dated Edinburgh, 3rd December 1577; same witnesses. (f. 69.)

Charter confirming a charter by George Home, fiar of Spot, with consent of Jean Hamiltoun, his spouse, to James Douglas, Commendator of Pluscardin, natural son of James, Earl of Mortoun, Lord of Dalkeith, Regent, and Agnes Home, daughter of the said George Home, and future spouse of the said James Douglas, in implement of a contract between the said Regent and George Home, dated Edinburgh, 18th January 1577, of the lands of Hartsyd, Easter, Wester and Middle and the Mains of Hartsyd *alias* Weitpetheid within the sheriffdom of Edinburgh, and constabulary of Haddington, to be held by the said James Douglas and Agnes Home, his future spouse, and their

lawful heirs to be procreated, whom failing, Archibald Douglas, natural brother of the said James Douglas and the lawful heirs male of his body, whom failing, George Douglas, also natural brother of the said James Douglas, and his heirs male, whom failing, William Douglas, likewise natural brother of the foresaid James Douglas, and his heirs male, whom failing, Archibald, Earl of Angus, and his heirs male, whom failing, William Douglas of Quhittingham and his heirs male, whom all failing, to the heirs whomsoever of the foresaid Regent, paying yearly £40, reserving the liferent of Katherine Colvill, spouse of George Home of Spott, the granter's father, of certain parts of the lands of Hartsyd sometime occupied by the deceased Adam Manderstoun, and part of the mill lands occupied by James Bennet, and reserving after death of the said Katherine Colvill the terce of Jean Hamiltoun, spouse of the granter; dated at ——, 157— (no witnesses). The charter of confirmation is dated at —— 1578; witnesses, ——. (f. 71.)

Precept of *Clare Constat,* in favour of Elizabeth Reid as heir to her father the deceased William Reid of Auchtmilling in the 15 s. 8 d. lands of Auchtmilling in the lordship of Kyllismuir, she being elder daughter and one of the two heirs portioners of her said father, paying yearly 22 s. 10½ d. in terms of charter thereof made to the foresaid William Reid and Margaret Hamilton, his spouse. The precept was dated Edinburgh, 15th April 1578. (f. 73.)

Precept in favour of Elizabeth Reid, younger, as heir to her father the deceased William Reid of Auchmilling in the 15 s. 8 d. lands of Auchmilling in said lordship, she being younger daughter and one of the two lawful heirs portioners of her said father, paying yearly 22 s. 10½ d. in terms of the charter granted thereof to the said deceased William Reid and Margaret Hamiltoun, his spouse; dated Edinburgh, 15th April 1578. (f. 73.)

Precept of *Clare Constat,* in favour of Robert Mitchell now in Burnheid as heir to his father the deceased James Mitchell in Burnheid in the 7 s. lands of Brokler and the

20 s. lands of Burnheid and 4 s. 6 d. lands of Oschawburn, being in all 31 s. 6 d. land in said lordship, paying yearly 45 s. 1½ d.; dated Edinburgh, 31st May 1578; witnesses, Archibald Dundas, Robert Duncoit, Edward Meikiljhon, servitors to the Commendator of Culros. (f. 73.)

Charter to Mungo Cambell, son of Mungo Cambell, younger of Brounsyd in fee, and Janet Dunbar, spouse of the said Mungo, elder, in liferent, of the 32 s. lands of Cowfauldschaw, paying yearly 32 s. and 16 d. of augmentation with duplication, service at courts, etc.; dated 1578; witnesses ——. (f. 74.)

Precept of *Clare Constat,* in favour of William Carncors now of Colmisley as heir of his father the deceased Robert Carncors of Colmisley in the half lands of Langley with the croft called Sellererheuche, paying yearly duties contained in the infeftments; dated at Cumrie, 20th June 1578; witnesses, ——. (f. 75.)

Memorandum that the lands of Westersyd of Huisebyre were set in feu to the deceased William Carncors and Marion Pringle, his spouse, paying yearly £3, 6 s. 8 d. with 20 stones of butter or 6 s. 8 d. for each stone, and the half lands of Langley and the croft called the Cellerrerhauche for the sum of £10, 13 s. 4 d., and for the augmentation of the said lands, 40 s.

There is this clause contained in the old charter of the lands of Westersyd of Housbyre and Langley set to the deceased William Carncors and Marion Pringle, that it shall not be lawful to the said William Carncors nor his heirs or assignees to sell the said lands or any part thereof without the consent of us [the Commendator and Iconimus] or our successors. (f. 76.)

On a loose leaf inserted at this page there is a precept signed by 'Bukcluche' directed to Joke Scot, bailie officer, and stating that he is informed by the neighbours of Gatonesyde that John Boustoun there means to break a piece muir because it hinders the pasturing of the whole goods of the town, and orders him to go in his name to the

said John Boustoun and charge him under the penalty of £40 to break no part of the muir until the whole of the neighbours consent thereto; subscribed by Branxholme the 26th of 'this present.'

Charter to William Douglas of Lochlevin, father of the Commendator, of the 5 merk lands of Brokloch and the 32 s. lands of Knokdoune in the lordship of Carrik, paying yearly for Brokloch five merks and for Knokdoune, 23 s., and 6 s. 8 d. of augmentation for Brokloch and 2 s. for Knokdoun with duplication at the entry of heirs, service at courts, etc. Dated —— (not completed). (f. 76.)

Precept of *Clare Constat,* in favour of William Reid as heir to his deceased father, George Reid of Chepilhous, in the 40 s. lands of Chepelhous in the lordship of Kyllismuir paying yearly 57 s. 3 d. Dated at —— 1578; witnesses,—— (f. 77.)

Precept of *Clare Constat,* in favour of William Duncan now in Hoilhuises as heir to his deceased father, William Duncan in Hoilhuises, in the 7 s. 3 d. and 2 s. 3 d. lands of Hoilhuises in Daldunning, also in said lordship, paying yearly 14 s. 2 d. Dated Wester Cumrie, 1st October 1578; witnesses, Archibald Dundass, Thomas Boyn, Robert Burrell, servitors to the Iconimus. (f. 77.)

Charter to Mungo Cambell, son and heir apparent of Mungo Cambell, younger of Brounsyd, of the merk lands called Tenschellingsyd, Couperyard and Knokscharie with pertinents, six quarters or roods of arable land and six quarters of meadow formerly occupied by Christina Miller with houses, gardens and orchards upon the commonty of Mauchlein extending in all to a 13 s. 4 d. land in said lordship, which formerly belonged to the said Mungo Cambell, son and heir of Mungo Cambell, younger, and which he resigned, paying yearly 13 s. 4 d. and 5 s. of augmentation and 6 d. for arreage and carriage, 9 d. for bondage silver, extending in all to 19 s. 7 d. Dated at —— (not completed). (f. 78.)

Precept of *Clare Constat,* for infefting John Hamiltoun

of Barneweill as heir to his brother german, Robert Hammiltoun, lawful son of the deceased Sir William Hammiltoun of Sanquhare in the 10 d. lands of Jakkisyeardis and Newlandis with interest in the Mosuard of Machling lying within the £10 lands of the Mains of Machling in said lordship. Dated Vester Cumrie, 1st October 1578; witnesses, Archibald Dundas, Robert Burrell, Robert Duncat, servitors to the Iconimus.

(f. 79.)

Charter confirming a charter by Robert Reid of Bruntscheill, to his son George Reid of the 28 s. 10½ d. lands of Brintscheill now occupied by the granter in said lordship, paying yearly 28 s. 10½ d. with 13 d. for arreage, 9 d. for bondage silver and 10 s. 9½ d. of augmentation with duplication, service at courts and in the field and thirlage to the mill of Mauchlein, etc. Dated Brintscheill, 14th September 1560; witnesses, James Michell of Burneheid, William Reid of Markland, Adam Reid of Midhielar, John Reid, his brother, and James Reid in Welwode. The charter of confirmation is dated Edinburgh, 4th November 1578; witnesses, Archibald Dundass, Edward Mikiljhone and Robert Birrall, servitors to the Iconimus. (f. 79.)

Charter confirming a charter by Robert Reid of Bruntscheill to his son, George Reid, of the 28 s. 10½ d. lands of Brintscheill now occupied by the granter in said lordship, paying yearly 28 s. 10½ d. with 13 d. for arreage, 9 d. for bondage silver and 10 s. 9½ d. of augmentation with duplication, service at courts and in the field and thirlage to the mill of Mauchlein, etc. Dated Brintscheill, 14th September 1560; witnesses, James Michell of Burneheid, William Reid of Markland, Adam Reid of Midhielar, John Reid, his brother, and James Reid in Welwode. The charter of confirmation is dated Edinburgh, 4th November 1578; witnesses, Archibald Dundass, Edward Mikiljhone and Robert Birrall, servitors to the Iconimus. (f. 79.)

Charter confirming a charter by James Richersoun in Burnsait with consent of Janet Gibsoune, his spouse, to his son, John Ritchersoune, of the 15 s. lands of Nether

Wode commonly called Burnsait in said lordship, paying yearly 15 s. 6 d. for arreage and carriage, 9 d. for bondage silver and 5 s. 7½ d. of augmentation, with duplication, service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Netherwode, 29th July 1578; witnesses, Thomas Gibsoun in Hal, Andrew Miller in Muirmill and James Reid in Middillfeild. The charter of confirmation is dated Edinburgh, 16th November 1578; witnesses, ——. (f. 80.)

Precept of *Clare Constat,* in favour of Robert Uddert now in Greinnoktoun as heir to the deceased William Uddert in Greinnoktoun, his father, of the 10 s. lands of Greinnoktoun in said lordship, paying yearly 14 s. 10½ d. Dated Edinburgh, 25th November 1578; witnesses, Archibald Dundass, Edward Mekiljhon and Patrick Patersoun, servitors to the Iconimus. (f. 82.)

Charter to John Spottiswode of Fouller of the 9 s. lands of Bogwod commonly called Smellgillis in said lordship, which formerly belonged to Mr. Bernard Hamiltoun and were resigned by him, paying yearly 9 s., and 3 s. 4 d. of augmentation with duplication, service at courts, thirlage to the mill of Mauchlein, etc. Dated Edinburgh, 31st January 1578; witnesses, Archibald Dundass, Edward Mekiljhon and David Akin. (f. 82.)

Precept of *Clare Constat,* in favour of John Hoppringill as heir of the deceased James Hoppringill of Tynnes in the 10 merk lands of Bukholm, paying yearly £10. Dated Edinburgh, 12th February 1578; witnesses, Archibald Dundas, Edward Mekiljhon and David Akin, servitors to the Iconimus. (f. 83.)

Precept of *Clare Constat,* in favour of Thomas Mortoune as heir to the deceased John Mortoun of Reidwre, his grandfather, in the two merk lands of Reidwre in the lordship of Kyllismuir, paying yearly 38 s. 5 d. Dated Edinburgh, 20th February 1578; witnesses, —— (f. 83.)

Precept of *Clare Constat,* in favour of James Daw as heir of the deceased James Daw of Garphall, his father, in the

4 s. 6 d. lands of Garphall in said lordship, paying yearly 11 s. 6 d. Dated Edinburgh, 20th February 1578; witnesses, Archibald Dundass, Edward Mekiljhone and David Aykin, servitors to the Iconimus. (f. 84.)

Charter confirming a charter by John Duncan in Over Logan to John Michell in Logane of the 4 s. 4 d. lands of Over Logan now occupied by the said John Michell in said lordship, paying yearly 4 s. 4 d., 2½ d. for arreage and carriage, 2½ d. for bondage silver and 21 d. of augmentation, with duplication, service at courts, etc. Dated Cumnok, 15th November 1578; witnesses, James Reid in Middilfield and John Wallance, elder, in Crumdarry. The confirmation is dated Edinburgh, 28th February 1578. (f. 84.)

Precept of *Clare Constat,* narrating that letters have been obtained at the instance of James Wod, burgess of Haddington, against Patrick Lawsoun as heir of the deceased Henry Lawsoun, burgess there and 'us' as superiors for infefting him in a tenement of land with garden and croft adjoining in the burgh of Haddington and that therefore for obedience of the said letters they direct —— to infeft the said James Wod in the said tenement, etc. Dated Edinburgh, 8th April 1579; witnesses, Archibald Dundas, David Wricht and Edward Mekiljhone, servitors to the Iconimus. (f. 85.)

Charter confirming a charter by Elizabeth Reid, younger, one of the lawful heirs portioners of the deceased William Reid of Auchmeling, spouse of George Reid of Montgarswod, to George Reid of Brintscheill and Elizabeth Reid, elder, his spouse, of the half of the 15 s. 8 d. lands of Auchtmelling extending to a 7 s. 10 d. land in the lordship of Kyllismuir in terms of contract between them, dated Ayr, 6th February 1563, paying yearly 7 s. 10 d., 6 d. for arreage and carriage, 9 d. for bondage silver and 2 s. 9 d. of augmentation with duplication and other services. Dated Machleine, 6th June 1579; witnesses, Mr. Peter Prymroise, minister of Machleine, Mathew Reid of Blaksyd, Thomas Michel in Auchinbrane, and Robert Gilming,

younger, messenger. The confirmation is dated Vester Cumrie, 16th June 1579; witnesses, James Prymroise and Robert Burrall, servitors to the Iconimus, and Andrew Miller of Muirmill. (f. 86.)

Charter to Donald Weddell, lawful son and apparent heir of Donald Weddell, elder, of the 3 s. lands of Nether Quhitlocht now occupied by the said Donald Weddell, elder, in said lordship, reserving his father's liferent and the liferent of the half of the lands to Janet Sym, his spouse, paying yearly 3 s., 1½ d. for arreage and carriage, 9 d. for bondage silver, and 13½ d. of augmentation, with duplication, service at courts and in the field, and thirlage to the mill of Mauchlein, etc. Dated Edinburgh, 8th July 1579; witnesses, Mr. Peter Prymroise, minister of Mauchlein, Archibald Dundass and David Atkin, servitors to the Iconimus. (f. 91.)

Charter to William Spottiswode, son and apparent heir of John Spottiswode in Fowlar and the heirs male of his body, whom failing, John Spottiswode, second son of the said John Spottiswode and the heirs male of his body, whom failing, the heirs male of the said John Spottiswode, elder, whom failing, Hugh Spottiswode, his brother german, and his heirs male, whom also failing, William Spottiswode in Mosgawill and his heirs male, whom failing, the heirs male of the said John Spottiswode, whomsoever, whom failing, the heirs male of the said John Spottiswode, elder, whomsoever, of the 42 s. lands of Fowlar, Skynnarisland and Crawisland now occupied by the said John Spottiswode and his tenants with right of digging turf in the turfery of Blairkip, the 10 s. 10 d. lands in Newtoun and Oxinschaw, the 26 s. 8 d. lands of Girshillis, the 9 s. lands of Bogwode commonly called Smellgillis, the 15 s. lands of Newtoun which formerly belonged to David Wilsoun, extending in all to a 7 merk 10 s. 2 d. land in said lordship, which lands formerly belonged to the said John Spottiswod of Fowlar, elder, and were resigned by him, paying yearly 7 merks 10 s. 2 d., 17 d. for arreage and carriage, 9 d. for bondage silver, 6 s. 8 d. of augmentation for the

lands of Fowlar, Skynnarislaw and Crawisland; also 13 s. 9½ d. as the yearly augmentation of the lands of Newtoun, Oxinschaw and Gershillis, 3 s. 4 d. as the yearly augmentation of the lands of Bogwode, and 7 s. 5 d. as the yearly augmentation of Newtoun with duplication, service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Edinburgh, 10th July 1579; witnesses, ——. (f. 93.)

Charter confirming two charters (1) by Elizabeth Symone, daughter of the deceased Robert Symon of Dalquharne, to Andrew Miller in Muremill of the 5 s. 10 d. land of Dalquharne now occupied by John Beg in said lordship, paying yearly 5 s. 10 d., 2 d. for arreage and carriage, 6 d. for bondage silver, and 2 s. 2 d. of augmentation, with duplication, service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Dalquharne, 6th December 1574; witnesses, William Campbell, Tutor of Cesnok, John Lekpreuik in Dalquharne, Symon Symont, John Makroy and Robert Atkin. (2) Charter by Mathew Reid in Blaksyd to Andrew Miller in Muirmill in terms of contract dated at Cesnok, —February 1575, of the 2 s. 11 d. lands of Dalquharne occupied by the granter in said lordship, paying yearly 2 s. 11 d., 1½ d. for arreage and carriage, 3 d. for bondage silver and 13 d. of augmentation with duplication, service at courts and thirlage to the mill of Mauchlein, etc. Dated Mauchlein, 23rd March 1575; witnesses, William Michell in Blaksyd, Robert Michell in Dawgan, Bernard Michell in Cathrin, Andrew Michell of Breyhed, James Rid in Hillar and John Gemmell, notary. Charter of confirmation dated —— (not completed). (f. 95.)

Charter to John Kennedie of Brokloch, of the 5 merk lands of Brokloch in the lordship of Monkland and earldom of Carrik, paying yearly £5, and 6 s. 8 d. of augmentation with duplication at the entry of heirs. Dated Stirling, 31st July and 1st August 1579. (f. 98.)

Precept of *Clare Constat*, in favour of Mr. James Lauder as heir to his brother the deceased Robert Lauder of

Poppill, knight, in the lands of Panschlis, Preistlaw, Kyngsyd, Freirdykis, Winterschelis, and Newgrange within the constabulary of Haddington and shire of Edinburgh. Dated at ——, 1579; witnesses, ——. (f. 99.)

Charter confirming a charter by William Thorbrand *alias* Will of the Kill in Lassuddin to John Thorbrand, his father, *alias* Kill, indweller there, in terms of contract between them dated at Hellidan, 31st August 1569, of a fourth part of a husbandland now occupied by the said John Thorbrand in the town and territory of Lassuddin, under reservation of the fishings of the water of Tweed belonging to the said lands of Lassuddin and the stone quarries, for the yearly payment of 9 s. 9 d. and other customary payments with duplication at the entry of heirs. Dated Lassuddin, 20th July 1576; witnesses, Thomas Duncanson, factor of Boldin, James Thorbrand *alias* Styll in Lassuddin, and William Thorbrand *alias* Styll, his brother german, Mark Keir, notary, Thomas Keir, rector of Dingvell, Thomas Keir, his natural son, and John Brydin, notary. There is a note of confirmation by the said William Thorbrand dated 17th August 1579. (f. 100.)

Charter to Andrew Bowstoun, son and heir of the deceased —— Bowstoun in Melrose, of the lands called the Tuip medow and Voll medow being parts of the town and lands of Newsted with the teinds, now occupied by himself, paying yearly 20 s., and 2 s. of augmentation with duplication and service at courts, etc. Dated last August 1579; witnesses,—— (f. 101.)

Charter confirming a charter by Elizabeth Striueling, granddaughter and heir of the deceased William Striueling in Blainslie with consent of Robert Davidsone, her spouse, of William Muffat in Threpuod, John Striueling in Cadislie and George Muffat in Blainslie, her curators, and of Michael Dicson in Blainslie, George Greiff there, Allan Suynhous there and Edward Romainis there, curators of the said Robert Davidson, her spouse, to John Striueling in Blainslie her cousin, of the 22 s. 3 d. lands of Nether Blainslie with

croft, houses, etc. and the 22 s. 3 d. lands of Middiltoun of Blainslie with croft, houses, etc., with a part of the lands lying in rinrig and all rights, privileges and pertinents thereto belonging, being in all a 46 s. 6 d. land, which lands of Nether Blainslie and Middiltoun of Blainslie are bounded as follows :—On the west beginning at the burn called the Mosburne and thence extending and ascending towards the east to the Hallitcarne [Hollit karne], and thence ascending and extending towards the east to the stone called the standand stane in Rucherig and thence descending and extending towards the east to the march dyke *alias* the Monks dyke, and thence extending towards the north to the chapel walls *alias* Cheildlyelis [child Lyellis] Chapelwallis,[1] thence extending and descending by the burn called Milcieburn [Milsey burn] and thence extending towards the south and descending [ascending] to that cross called Lyellis Croce and thence descending [ascending]

[1] The original is as follows :—

'Ad muros capelle vocat ye chapell vallis seu alias cheild lyelis chapiluallis . . . ad illam crucē vocat Lyellis Croic.'

In Milne's *Description of the Parish of Melrose*, first published in 1743 and reprinted in Wade's *History of Melrose Abbey*, the above is rendered Cheildhellis (Wade, p. 78). The statement is also repeated by Cosmo Innes (*Origines Parochiales*, vol. i. p. 285), but a careful examination of the MS. volume containing the charter plainly shows that the word is Cheildlyellis, as given above, and further down we get Lyellis Croce, not Lillies cross as rendered by Milne. These lands by the same boundaries had previously, on 8th March 1546-7, been granted by the Commendator to William Hall (*Laing Charters*, No. 569). The lands of Lylestone, Lyolfstun or Lyolph's town, situated a short distance north of Lauder, were granted by Alan, son of Roland, Constable of Scotland, to Hugh de Abernethy, and confirmed to him by Alexander II. on 18th March 1232-3.

The charter of these lands is in the hands of Lord Amherst of Hackney, and on account of its local interest we give the following transcript of it :—

Alexander Dei gratia Rex Scotorum omnibus probis hominibus tocius terre sue salutem. Sciant presentes et futuri nos concessisse et hac carta nostra confirmasse donationem illam quam Alanus filius Rolland constabularius noster fecit Hugoni de Abbirnithin consanguineo suo pro homagio et servicio suo de terra de Hulkylliston et de terra de Lyolinston in valle de Lawedyr : Tenendum et habendum dicto Hugoni et heredibus suis de dicto Alano et heredibus suis in feodo et hereditate et cum omnibus justis pertinenciis suis ita libere quiete plenarie et honorifice sicut carta dicti Alani filii Rolland constabularii nostri inde plenius confecta dicto Hugoni de Abbirnithin juste testatur, salvo servicio nostro : Testibus Willelmo de Bond[ington] cancellario Waltero Byset Johanne de Haya Ricardo Vuieth, Henrico de Abirnithin, Willelmo de Munfichet,

and extending towards the south to that cross called the Hie Cross and thence extending and descending towards the south to that part of the burn called Helburnefurd and thence extending and descending by the said burn towards the east [to the lands] called Vuilkinis [Vilkinis] Hauch and thence extending and descending towards the south to the auld water gang of Midstreme of Ledder and thence extending and descending towards the south by the water gang and the middle thereof to the marches called the Erlis aiker and thence extending and ascending towards the west by the burn called Hauikscheilburn to that loch called the Over Loch and thence extending and ascending towards the west to the 'commoun merkat get' and thence extending and descending towards the west to a place called the Villiebuss at the Auld Dyk in Wyndelaw cruik and thence extending and ascending towards the north by the Blak Burne to the Blak Furd thereof and thence extending and ascending towards the north to the middle of the Helmoss, and thence extending and descending towards the north through the middle of the Helmos to the burn called the Mosburne, lying in the lordship of Melrose and shire of Roxburgh, between the lands of the forest of Lauder on the north and the lands of the monastery of Dryburgh on the south, the lands of the Laird of Haltoun called Quhytfeild [Quhytsteid] and the lands of the

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Thoma de Normanuill, Roberto Byset, Roberto de Meyners, Apud Schon octavodecimo die Marcii anni regni domini regis nonodecimo.

(*Translation*)

Alexander, by the grace of God, King of Scotland. To all worthy men of his whole realm, greeting: Know ye, both present and to come that we have granted and by this our charter confirmed that disposition which Alan, son of Roland, our constable, made to Hugh of Abernethy, his kinsman (cousin), of the land of Hulkylliston and of the land of Lyolinston in Lauderdale, for homage and service: To be had and held by the said Hugh and his heirs of the said Alan and his heirs in fee and heritage, and with all their rightful pertinents as freely, quietly, fully and honourably, as is more fully set forth in a charter made thereupon by the said Alan, son of Roland, our constable, to the said Hugh of Abernethy; saving our service. Witnesses, William of Boudington, Chancellor, Walter Bisset, John of Hay, Richard Vuyeth, Henry of Abernethy, William of Mushet, Thomas of Normanviell, Robert Bisset, Robert of Meyners; at Scone, 18th day of March, 19th year of the King's reign.

monastery of Dryburgh and the lands of Birkinsyd respectively on the east and the lands of the said monastery of Melrose called Colmisliehill and Threpwodschaw respectively on the west, for the yearly payment of 48 s. 1 d. with service at courts and other services, duplication at the entry of heirs, etc. Dated Melrose, 19th August 1579; witnesses, Thomas Lethem in Newtoun, John Romainis, elder, in Blainslie, and William Bredin, notary, dwelling in Selkirk. Charter of confirmation dated —— (not completed). (f. 102.)

Precept of *Clare Constat,* in favour of William Davidsoun as heir to his father the deceased George Davidsoun in Blainslie, in the 44 s. 6 d. lands of Nether Blainslie with part of some lands lying in rinrig presently occupied by the said William Davidson, of which the boundaries are as in the preceding charter, paying yearly 48 s. 1 d. etc. Dated at —— (not completed). (f. 103.)

Precept of *Clare Constat,* in favour of Janet, Elizabeth, Isobella, Helen and Agnes Hall as lawful daughters and heirs portioners to the deceased William Hall in Blainslie, their father, in 1½ husband lands in the town of Blainslie on the north side thereof, paying yearly 33 s. 4 d. Dated, —— August 1579. (f. 104.)

Precept of *Clare Constat,* in favour of Michael Jonstoun now in Blainslie as heir of the deceased William Jonstoun in Blainslie, his father, in a husband land now occupied by the said Michael Jonstoun in the town and territory of Blainslie on the north side of the said town between the lands of the Laird of Lauder on the north and the lands of the Commendator of Dryburgh on the east and south and our lands of Melrose on the west. (Not completed.) (f. 104.)

Precept of *Clare Constat* of John Romanus in Blainslie. James, by divine permission Commendator of Melrose and the convent thereof, to our bailies in that part greeting. Whereas it is clearly understood by us that the deceased John Romanus, elder, in Blainslie, father of John Romanus, bearer of these presents, died [last infeft

and seased as of fee at the faith and peace of his sovereign] in all and whole our two husband lands with their pertinents lying in our town of Blainslie on the north side thereof, thence descending to the burn called Milsieburne towards the north and thence to the burn called Helmeburne towards the south and north [*sic*] and thence to that dyke called Vindilawcruk towards the west to the middle of the Helmoss between the said town of Blainslie and the town of Threpvod, and towards the south to the burn called the Helscheburne made [*confectum*] by Stephen Hunter and James Darling, lying in our lordship of Melrose and sheriffdom of Roxburgh between the lands of the Lord of Laudir on the north and the lands of the Commendator and Convent of Dryburgh on the east and south, and our lands of Melrose on the west; and that the said John Romanus, younger, is son and nearest heir of the said deceased John Romanus, elder, his father; and that he is of lawful age; and that the said two husband lands with their pertinents are held in chief of us and our successors in feufarm and heritage for yearly payment of 44 s. 6 d. with 5 s. 4 d. of augmentation payable at the terms used and wont, with two carriages in Lothian and six and a half poultry, as is more fully contained in the old infeftment of the said deceased John Romanus, elder: Therefore we require and command you, etc. [to give sasine, etc. to the said John Romanus, younger, etc., in the said subjects.]
(f. 104.)

Precept of *Clare Constat*, in favour of William Clark as heir to his deceased father, Robert Clark of Blainslie, in two husband lands of Blainslie on the north side thereof now occupied by the said William Clark between the lands of the Laird of Lauder on the north, the lands of the Commendator of Dryburgh on the east and south, and our lands of Melrose on the west, paying yearly 44 s. 6 d. with 5 s. 4 d. of augmentation, two carriages in Lothian and 7 poultry. (f. 105.)

Precept of *Clare Constat*, in favour of Edward Lorne as heir to his father, the deceased James Lorne in Blainslie,

of one husband land in the town and territory of Blainslie on the north side thereof, presently occupied by the said Edward Lorne and Agnes Lamb, his mother. (f. 105.)

Charter of Edward Romanus.—To all who shall see or hear this charter, James by divine permission Commendator of the monastery of Melrose, and the convent thereof, greeting in the Lord everlasting. Wit ye us with consent of our dearest cousin coadjutor and administrator and iconimus to us and to our said monastery, having full and sufficient power to receive tenants to whatsoever lands belonging to our said monastery, to have seen a certain charter of alienation of all and whole the half of a husband land with houses, buildings, tofts, crofts, gardens, now occupied by Edward Romanus in Blainslie with its whole pertinents, which charter, carefully considered and examined by our foresaid administrator and found to be free from all vitiation and suspicion, is more fully set forth in the following words :—To all who shall see or hear this charter, John Romanus wisheth greeting in the Lord everlasting. Wit ye me with express consent and assent of John Romanus my son and apparent heir, not conduced thereto by force, fear or fraud, but of my own pure, free and voluntary will and for the special love and favour which I have and bear towards my beloved lawful son Edward Romanus, to have given granted and in feufarm heritably demitted and by this my present charter confirmed, likeas I give, grant, and in feufarm heritably demit and by this my present charter confirm to the said Edward Romanus my son in liferent for all the days of his lifetime, likewise to John Romanus his son and apparent heir, whom failing to the lawful and nearest heirs lawfully begotten or to be begotten of the body of the said Edward, whom all failing, to the lawful and nearest heirs whomsoever of the said John, all and whole my half of a husband land with houses, buildings, tofts, crofts, gardens, now occupied by the said Edward, with their whole pertinents, lying in rindall within the town and territory of Blainslie, lordship of Melrose and sheriffdom of Roxburgh :

Having and holding all and whole my half of a husband land foresaid with pertinents occupied as above by the said Edward and lying as is aforesaid, to the foresaid Edward in liferent for all the days of his life, and to the said John and his heirs foresaid and assignees, heritably, of me and my heirs in fee and heritage and in free blench farm for ever by all their right meaths ancient and divided as they lie in length and breadth in houses, buildings, yards, fields, ways, paths, standing and running waters, meadows, pastures and pasturages, mills, multures and their sequels, hawkings, huntings, fishings, peataries, turferies, coals, coalheughs, doves, dovecots, rabbits, rabbit warrens, smithies, brew-houses, brushwood, broom, woods, plantings, copses, firewood and thatch, quarries, stone and lime, with courts and their exits, herields, bloodwites, and markets of women, with common pasture, free ish and entry, and with all and sundry other liberties, commodities, profits, easements and their just pertinents whatsoever as well not named as named, under the earth and above, near and remote, pertaining or which may justly be held to belong to my foresaid half husband land with pertinents, in any manner of way in time coming, freely, quietly, fully, entirely, honourably well and in peace without any obstruction recal gainsaying or hindrance: Paying therefor yearly the said Edward Romanus during the whole period of his life, and the said John and his heirs foresaid, to me and my heirs one penny usual money of the realm of Scotland upon the ground of the said lands at Whitsunday in name of blenchfarm if asked, and to the abbot and convent of the monastery of Melrose and their successors the sum of 12 s. and 5 d. money foresaid at two terms in the year, viz. Whitsunday and Martinmas in winter by equal portions, with one and a half poultry and half a carriage, and that for all other burden exaction demand or secular service which from the said half husband land with pertinents can justly by any whomsoever be anywise asked or required. And I forsooth John Romanus with express consent and assent of the said John my son and heir apparent, and my [*sic*] heirs foresaid, shall

warrant acquit and for ever defend all and whole my half husband land with houses, buildings, tofts, crofts and gardens foresaid and their whole pertinents, to the foresaid Edward Romanus during the whole period of his life, and to the said John his son and apparent heir, and the heirs abovewritten, in all and by all against everything deadly. In witness of the which thing to this present charter subscribed with my hand my own proper seal is appended, with the subscription manual of the said John my son and apparent heir in manner following in token of his consent and assent, at Blainslie the seventh day of May 1578, in presence of these witnesses, Thomas Scot in Hanein [?], William Chein in Blainslie, Gavin Carter there, William Haw, younger, there, and John Bryden, notary public, with divers others. Jhone Romanus, elder, with my hand touching the pen led by the notary underwritten; Jhone Romanus, younger, with my hand at the pen led by the notary public underwritten; That it is so John Brydein, notary public called to the premises, subscribing with his own hand, affirms. Which charter of alienation so made and by us carefully considered and examined as is aforesaid we ratify approve and for us and our successors for ever confirm in all its points, clauses and articles in form and effect as is abovewritten. In witness whereof to the premises subscribed with our hand and the subscriptions of our said coadjutor and the convent of our said monastery in manner following, the common seal of the chapter of our said monastery is appended, at our said monastery the —— day of August 1579, before these witnesses. (f. 105.)

Precept of *Clare Constat,* in favour of Alexander Anderson as heir to his father, the deceased William Andersone in Ridpetht, in 1½ husbandlands of the lands of Ridpetht now occupied by the said Alexander Anderson with pasturage in the commonty of Arphiltoun [*sic*] [1] in the lordship of Melrose and shire of Berwick, paying yearly 33 s. 6 d., 4 poultry and 1½ carriages with duplication. (f. 106.)

[1] In another part of the deed it is Arfiltoun, perhaps misread by the clerk for Arsiltoun (Earlston).

Precept of *Clare Constat,* in favour of John Coit as heir of his father, the deceased Richard Cot, in Lassuddin in half a husbandland with toft and garden in the town and territory of Lassuddin now occupied by the said John, paying yearly 18 s. 6 d. and other customary payments. (f. 106.)

Precept[1] of *Clare Constat,* in favour of James Vyns as heir to his father, the deceased James Vyns, in a husband land held for payment of 36 s., etc. (f. 106.)

Precept of *Clare Constat,* in favour of John Richertsone as heir to his father, the deceased Thomas Richertsone, in half a husbandland held for payment of 18 s. 6 d. (f. 106.)

Precept of Sasine, in favour of Walter Jamesone, son of John Jamesone, in a husband land held for payment of 36 s. 10 d. (f. 106.)

Precept of Sasine to David Richertsone, son of Thomas Richertson, in half a husband land held for payment of 18 s. 6 d. (f. 106.)

Precept of Sasine, in favour of John Cowquherne, son of James Cowquherne, in a husband land held for payment of 18 s. 6 d. (f. 106.)

Precept of Sasine, in favour of John Hunter, son of Thomas Hunter, in a husband land held for payment of 36 s. (f. 106.)

Precept of Sasine, in favour of Thomas Jamesone, son of John Jamesone, in ¾ of a husband land held for payment of 27 s. 9 d. with 18 d. for three poultry or in all 29 s. 3 d. (f. 106.)

Precept of Sasine, in favour of John Kyll, brother german of the deceased Thomas Kyll, in a husband land held for payment of 36 s., etc. (f. 106.)

Precept of Sasine, in favour of John Gibsone, son of the deceased Martin Gibsone, in ¼ of a husband land held for payment of 9 s. 3 d. etc. (f. 106.)

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[1] In this and the following abstracts no place names are given, but they seem all to refer to *Lessudden.*

Charter confirming a charter by John (George) Reid of Markland, of the half of the 20 s. lands of Bruntscheill which belonged to the said George (*sic*) as heir apparent served to the deceased James Reid, his brother german, but reserving the liferent of the said lands to Margaret Reid, widow of the said James Reid, which lands lie in the lordship of Kyllismuir. . . . (Not completed, and the charter not inserted.) (f. 108.)

Precept of *Clare Constat*, in favour of Robert Fischer now in Mekilwod as heir of the deceased Alexander Fischer in Mekilwod, his father, in the 2 s. lands of Mekilwod in said lordship, paying yearly 3 s. 7 d. Dated Edinburgh, 1st February 1579; witnesses, Archibald Dundas, Edward Mekiljhon and James Prymrois, servitors of the Iconimus. (f. 109.)

Charter confirming a charter by John Hamiltoun in Barnweill to William Patersone in Mauchling, of the 10 d. lands of Jakkisyeardis and Newlandis with commonty rights in the Moswod of Machleine lying among the £10 lands of the Mains of Machleine in said lordship, paying yearly 6 s. 8 d., and 3 d. of augmentation with duplication at the entry of heirs and other services used and wont. Dated Mauchling, 13th October 1578; witnesses, Mungo Cambell, younger of Brounsyd, John Spottiswod of Fowlar, Mr. Peter Prymrois, minister at Mauchling, David Cawchaid, burgess of Ayr, James Donald in Kathreine, John Angus, notary, and John Kennedie, his servant. The charter of confirmation is dated Edinburgh, 2nd February 1579; witnesses, Archibald Dundas, Edward Mekiljhone and James Prymrose, servitors to the Iconimus. (f. 109.)

Precept of *Clare Constat*, in favour of Hugh Farquhar now in the Schaw as heir to his father, the deceased Hugh Farquhar in the Schaw, in the 13 s. 4 d. lands of the Schaw in said lordship, paying yearly 18 s. 4 d. Dated Edinburgh, 27th February 1579. (f. 111.)

Precept of *Clare Constat*, in favour of Margaret Mitchel, wife of William Smith in Bogend, as heir to her brother the

deceased John Mitchel in Logan, in the 6 s. lands of Over Logan and the 4 s. 4 d. lands of Logan in said lordship, which Margaret Mitchell is elder and one of six lawful and nearest heirs portioners of the deceased John Mitchell, her brother, in the said lands, paying yearly 22 s. 1½ d. Dated Edinburgh, 27th February 1579; witnesses, Archibald Dundas, Adam Maistertoun and James Prymros servitors to the Iconimus. (f. 111.)

Precept of *Clare Constat,* in favour of Christina, Janet, Elizabeth, elder, Elizabeth, younger, and Margaret, younger, as heirs portioners of their deceased brother, John Mitchel in Over Logan in the six merk lands of Over Logan and 4 s. 4 d. lands of Logan in said lordship, paying yearly 22 s. 1⅓ d. Dated Edinburgh,—March 1579. (f. 111.)

Charter confirming a charter by John Duncan in Over Logan, to Mr. Peter Prymros, minister at Mauchleine, of the 8 s. 8 d. lands of Over Logan now occupied by the said John Duncan in said lordship, paying yearly 8 s. 8 d. and 4½ d. for arreage and carriage, 4½ d. for bondage silver and 3 s. 4½ d. of augmentation, with duplication at the entry of heirs, service at courts and in the field, thirlage to the mill of Mauchling, etc. Dated Cumnok, 12th February 1579; witnesses, John Reid of Ballochmill, elder, Hugh Reid, his brother german, William Smyth in Bogeend, Robert Smyth his brother, and John Gemmell, notary. The charter of confirmation is dated at ——; witnesses——. (f. 112.)

Precept of *Clare Constat,* in favour of Janet Reid as heir of the deceased William Reid of Chepelhous, her father, in the 40 s. lands of Chepelhous in said lordship, paying yearly 57 s. 3 d. (f. 114.)

Precept of *Clare Constat,* in favour of Robert Ritchert as heir of the deceased William Ritchert in Mauchlein, his father, in the 20 d. lands of Jakisyardis now occupied by the said Robert Ritchert with pasturage in the Mosward of Mauchlein in said lordship, paying yearly 7 s. 2½ d. Dated Edinburgh, 4th May 1580; witnesses, Archibald Dundas,

Patrick Patersoun and Edward Mekiljhon, servitors to the Iconimus. (f. 114.)

Obligation by John Carchart (*sic*) of Carriltoun narrating that he has presented to the Iconimus in name of Margaret Carchart, his sister, widow of Robert Farquhar, an instrument of resignation of the 18 s. 3 d. land of Clonschameroch, the 40 s. land of Gilmuliscroft with the mansion place and walk mill of the same, and the £4 land of the Kenns in said lordship, made by the deceased Robert Farquhar, lawful son and heir apparent to Alexander Farquhar of Gilmuliscroft in the hands of the said Alexander Farquhar as superior of the said lands in favour of Margaret Carchart, spouse to the said Robert Farquhar and for joint infeftment to be taken to the said Robert Farquhar and Margaret Carchart, and to their children; and that after the said resignation the said Alexander Farquhar gave sasine of the foresaid lands of Gilmuliscroft with the mansion place, walk mill, the 18 s. 4 d. lands of Clonschameroch and the £4 land of Kenns to the said Robert Farquhar, who was personally present, and to Robert Cambell of Kenzeancleuch as attorney for the said Margaret Carchart under reservation of the liferent of the said Alexander Farquhar and Jonet Cambell, his spouse; and because the said John Carchart of Carriltoun has presented in name of his said sister the said instrument of resignation and obtained confirmation thereupon but showed no heritable title of the said lands as being held in feufarm of the Commendator, therefore he obliges himself that if the said Alexander Farquhar has no charter of feufarm or heritable title to the said lands, that in that case this confirmation shall be of no force or effect. Dated Edinburgh, 24th June 1580; witnesses, Alexander, Commendator of Culros, Archibald Dundas, Edward Mekiljhone and John Carchart, son to the said John Carchart. The deed is signed Jhone Cathcart of Carltoun. (f. 115.)

Charter confirming an instrument of sasine made by Alexander Farquhar of Gilmyliscroft to the deceased Robert Farquhar, his son and heir apparent, and Margaret

Carchart, spouse of the said deceased Robert Farquhar, and their heirs male, of the lands of Gilmuliscroft with the mansion and fulling mill thereof, the 18 s. 4 d. lands of Clonschameroch and the £4 lands of Kenns in the said lordship, which sasine is dated 9th August 1579 under the hands of James Ross, notary, clerk of the diocese of Glasgow; witnesses, William Allan in Mauchlein, George Cambell, brother german of Robert Cambell of Kenzeancleuch, James Mitchel in Burnheid and William Mekilmorrow, servitor to the notary. The charter of confirmation is dated Edinburgh, 5th May 1580. (f. 115.)

Precept of *Clare Constat*, in favour of Hugh Wilsoun now in Nether Bargour as heir to the deceased George Wilsoun of Nether Bargour, his father, in the 9 s. lands of Nether Bargour in said lordship, paying yearly 13 s. 5½ d. Dated Edinburgh, 6th December 1580; witnesses, Archibald Dundass, Edward Mekiljhon, James Prymros, servitors to the Iconimus. (f. 116.)

Charter confirming a charter by William McConnell in Corshill to his son, John McConnell, younger, of the 10 s. lands of Nether Wode in the said lordship, paying yearly 10 s. 4 d. for arreage and carriage, 9 d. for bondage silver and 3 s. 9 d. of augmentation with duplication at the entry of heirs, service at courts and in the field, thirlage to the mill at Mauchlein, etc. Dated Cumnok, 17th December 1580; witnesses, Andrew Millar in Muirmiln, John Hamiltoun in Chepelhous, John Garner, John Gemmell and James Gib, notaries. The charter of confirmation is dated Edinburgh, 14th January 1580; witnesses, Archibald Dundass, James Prymros and James Masterton, servitors to the Iconimus. (f. 117.)

Charter confirming a charter by Andrew Farquhar in Logan to George Farquhar, younger, his son, of the 9 s. 2 d. lands of Over Logan in said lordship, now occupied by the granter, paying yearly 13 s. 8 d. with duplication at entry of heirs, service at courts and in the field and thirlage to the mill of Mauchlein, etc. Dated Over Logane, 3rd January 1580; witnesses, George

Ferquhar in Gilmuliscroft, Adam Aird in Kathreine, John Ferquhar there and John Gemmell, notary. The charter of confirmation is dated Edinburgh, 4th January 1580; witnesses, Archibald Dundas, James Prymros and James Maistertoun, servitors of the Iconimus. (f. 118.)

Charter confirming a charter by James Hodge (Hoge) in Weltoun, to Katherine Hodge, his daughter, and her heirs or assignees, of the 10 d. lands of Weltoun now occupied by him in said lordship, paying yearly 6 s. 8 d. and 3½ d. of augmentation with duplication service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Weltoun, 2nd July 1574; witnesses, Thomas Boyn in Weltoun and John Roger in Mauchlein. The charter of confirmation is dated Edinburgh, 24th January 1580; witnesses, Archibald Dundass, James Prymros and Robert Sword, servitors to the Iconimus. (f. 119.)

Charter confirming a charter by John Duncan in Logan to Mr. Peter Prymrois, minister of Mauchlein, of the 4 s. 4 d. land in Logan with mansion, garden and buildings thereon occupied by the said John in said lordship, paying yearly ——, with duplication at the entry of heirs, etc. Dated Over Logane, 17th December 1580; witnesses, William Smyth in Bogend, Hugh Crawfurd of Crukitbank and Hugh Crawfurd, merchant. The charter of confirmation is dated Edinburgh, 10th February 1580; witnesses, David Dunbar, ——. (f. 121.)

Charter confirming a charter by Robert McGawan in Little Fordell to Adam Aird in Katherein in liferent and John Aird, his second son, heritably, of the 31 d. lands of Weltoun presently occupied by himself in said lordship, paying 1 d., if asked. Dated Weltoun, 14th May 1572; witnesses, George Cambell of Montgarswod, Bernard Mitchel in Katherine, William Reid in Netherfield and John Mathie in Sorne. The charter of confirmation is dated Edinburgh, 13th February 1580; witnesses Archibald Dundass, James Prymrois and Robert Sword, servitors to the Iconimus. (f. 122.)

Charter confirming a charter by John Robein, younger, in Girsyards, to James Spottiswode, elder, in Hoilhous, in liferent, and James Spottiswode, his son, heritably, of the 22 d. lands of Girsyards in said lordship, paying yearly 4 s. 8½ d., with duplication at the entry of heirs, etc. Dated Cumnok, 2nd February 1580; witnesses, Thomas Boyn in Weltoun, James Reid in Willokishill, John Duncan in Hoill and John Gardner. The charter of confirmation is dated Edinburgh, 13th February 1580; witnesses, Archibald Dundass, Edward Mekiljhon and Robert Sword, servitors to the Iconimus. (f. 122.)

Charter confirming a charter by George Michell of Dalsanguane to his cousin, James Michell of Burnheid, in the 40 d. lands of Dalsanguen now occupied by the granter in said lordship, paying yearly 3 s. 4 d., 1½ d. for arreage and carriage, 4½ d. for bondage silver and 15 d. of augmentation, with duplication, service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Mauchlein, 20th June 1575; witnesses, George Cambell of Montgarswod, Adam Aird in Over Katheren, Andrew Michel of Braheid and John Thomson. The charter of confirmation is dated Edinburgh, last February 1580; witnesses, Archibald Dundass, Edward Mekiljhone and James Dundas, servitors to the Iconimus. (f. 124.)

Charter confirming a precept of sasine by Robert Cambell of Kinzancleuch and Elizabeth Cambell, his spouse, for infefting James Michell of Burnheid in the 30 d. lands in Neddervode being the half of the 5 s. lands of old extent now occupied by William Richert in Harwood in said lordship. The precept is directed to William Ryd as bailie and is dated Kinzancleuch, 24th July 1565; witnesses, Andrew Michel of Breheid, Robert Cambell, brother german of John Cambell in Sandhill, Robert Miller in Hach, and Thomas Caldow. The charter of confirmation is dated Edinburgh, 18th February 1580; witnesses, Archibald Dundas, Robert Sword and James Dundas, servitors to the Iconimus. (f. 125.)

Charter confirming a charter by John Wassoun, fiar of the lands aftermentioned, to James Brown in Auchinvert and Janet Vassoun, his spouse, in terms of contract dated at Auchmennoch, 23rd April 1572, of the 10 s. lands of Auchmennoch now occupied by the granter and John Anderson, his sub-tenant, in said lordship, paying yearly 10 s., and 12 d. of augmentation with duplication at the entry of heirs, service at courts, etc. Dated Auchmennoch, 25th April 1572; witnesses, Hugh Cambell of Killoch, George Brown in Crofthead, John Wassoun, son of the granter, John Reid of Auchinchoche and John Lockhart, notary. The charter of confirmation is dated at ——; witnesses —— (f. 126.)

Charter confirming a charter by William Cunningham of Caprintoun to John Reid, elder, in Carleith, of the 4 s. 9 d. lands of Karleitht now occupied by the said John in said lordship, paying yearly 4 s. 9 d., and 5 d. of augmentation with duplication at the entry of heirs, service at courts, etc. Dated Mauchlein, 23rd May 1569; witnesses, Hugh Cambell of Killoch, William Cunningham, son and heir apparent of the granter, John Mur of Perk and George Angus, notary. The charter of confirmation is dated at ——; witnesses —— (f. 127.)

Precept of *Clare Constat,* in favour of Janet Lockhart as heir of her mother the deceased Janet Anderson, spouse of Alexander Lockhart in Auchmerling, in the 6 s. 8 d. lands of Auchmerling now occupied by the said Alexander in said lordship, paying yearly 10 s. 2 d. Dated at ——; witnesses —— (f. 129.)

Precept of *Clare Constat,* in favour of John Rid as heir of the deceased John Rid, elder, in Carleitht, his father, in the 4 s. 9 d. lands of Karleitht, formerly occupied by the said John Reid in said lordship, paying yearly 5 s. 2 d. Dated at ——; witnesses, Archibald Dundas, James Dundas and James Prymros, servitors to the Iconimus. (f. 129.)

Charter confirming a charter by William Cunnyngham of Caprintoun to Thomas Vassoun in Achincloch of the 3 s. ¾ d. lands of Achincloche now occupied by the said

Thomas Vassoun in said lordship, paying yearly 3 s. ½ d., 4 d. of augmentation, etc., as in the charter to John Rid above. (f. 129.)

Note of Charter to James Reid of the 4 s. 9 d. lands of Carleyth. Dated at Edinburgh, —— April 1581; witnesses, Archibald Dundas, James Primrois and Robert Burall, servitors to the Iconimus. (f. 130.)

Charter confirming a charter by William Cunnyngham of Caprintoun to Thomas Holme in Carleyth of the 13 s. 4 d. lands of Carleyth which the said Thomas now occupies, in said lordship, paying yearly 4 s. 9 d., and 5 d. of augmentation, with duplication at the entry of heirs, service at courts, etc. Dated at Mauchlein, 23rd May 1569; witnesses, Hugh Cambell of Kylloch, William Cunnyngham, son and heir of the granter, John Mur of Perk. The charter of confirmation is dated Edinburgh, 15th April 1581; witnesses, Archibald Dundas, James Prymrois and Edward Mekiljhone, servitors to the Iconimus. (f. 130.)

Charter confirming a charter by William Cunnyngham of Caprintoun to James Pawtoun in Carleyth of the 13 s. 4 d. lands of Carleyth now occupied by him in said lordship, paying yearly 13 s. 4½ d., and 16 d. of augmentation, with duplication, service at courts, etc. (The testing clause of the charter is omitted.) The charter of confirmation is dated Edinburgh, 15th April 1581; same witnesses. (f. 131.)

Charter confirming a charter by James Richemonth of Auchinclocht to his son, John Richemonth, of the 6 s. ⅔ d. lands of Auchincloch, which John Wassoune and John Michell with Katherine Bond, his spouse, now occupy, lying in said lordship, paying yearly 6 s. 1½ d., and 8 d. of augmentation with duplication at the entry of heirs, service at courts, etc. Dated Bankhed and Galstoun, 30th January 1580; witnesses, John Lokhart, grandson and heir apparent of John Lokhart of Bare, Murdoch Lokhart in Holl in Burnfuit in Richertoun, and Edward, Adam, and John Sim in Galstoun. The charter of confirmation is dated Edinburgh, 26th April 1581; same witnesses. (f. 132.)

Charter confirming two charters (1) by Thomas Wassoun in Barneflat to James Ritchmont in Auchincloch of the 3 s. ⅓ d. lands of Auchincloch presently occupied by himself and Catherine Boyne in said lordship, paying yearly 3 s. ½ d., and 4 d. of augmentation, with duplication, service at courts, etc. Dated Sornhill, 20th April 1571; witnesses, Alexander Lochart of Auchmilling, Donald Ritchmonth in Nithbein and John Lochart, notary. (2) Charter by John Vassoun in Achincloych to the said James Rechmonth of the other 3 s. ⅓ d. lands of Achincloych which the said John Vassoun now occupies (this charter is not extended); dated at Colgove, 21st November 1570; witnesses, Alexander Lochart of Auchmeilling, Donald Ritchmonth in Inchbein and John Lochart, notary. The charter of confirmation is dated Edinburgh, 25th April 1581; same witnesses. (f. 133.)

Note of Charter confirming a charter by William Cunnyngham of Caprintoun to John Wassoun and Margaret Cunninghame, his spouse, of the 10 s. lands of Auchmunnoch, paying yearly 10 s. and 12 d. of augmentation with duplication, service at courts, etc. Dated Mauchlein, 23rd May 1569; witnesses, Hugh Campbell of Killoch, William Cunninghame, 'my' son and heir apparent, John Mure of Park and George Angus, notary. The charter of confirmation is dated Edinburgh, 24th April 1581; witnesses, Archibald Dundas, James Prymros and David Aikine, servitors to the Iconimus. (f. 134.)

Note of Charter confirming a charter to John Vassoun in Achincloch of the 6 s. 1½ d. lands of Achincloch which he now occupies in said lordship, paying yearly 6 s. 3 d. and 8 d. of augmentation with duplication, service at courts, etc. Dated Mauchlein, 23rd May 1569; witnesses as in the charter immediately preceding. The charter of confirmation is dated Edinburgh, 26th April 1581; same witnesses. (f. 135.)

Note of Charter confirming a charter by William Cunningham of Caprintoun to John Rid in Auchincloche of the 12 s. 3 d. lands of Auchinchoche presently occupied

by the said John Rid in said lordship, paying yearly 12 s. 3 d. and 16½ d. of augmentation, with duplication, etc. Dated Machlein, 23rd May 1569; witnesses, Hugh Cambell of Killoche and William Cunningham, son and heir apparent of the granter. The charter of confirmation is dated Edinburgh, 24th April 1581; same witnesses. (f. 135.)

Charter confirming a charter by William Cunningham of Caprintoun to George Reid, lawful son of the deceased John Reid in Montgarswod, of the 14 s. 10 d. lands of Montgarswod presently occupied by the said George Reid in said lordship, paying yearly 14 s. 10 d., and 21 d. of augmentation with duplication, service at courts, etc. Dated Mauchleine, 23rd May 1569; witnesses, Hugh Campbell of Killoch, William Cunningham, son and heir apparent of the granter, John Mure of Park, and George Angus, notary. The charter of confirmation is dated Edinburgh, 4th May 1581; witnesses, Archibald Dundas James Prymros and Thomas Boyn. (f. 136.)

Precept of *Clare Constat,* in favour of Janet Reid as heir of the deceased William Rid of Chapilhous, her father, in the 40 s. lands of Chapelhous in said lordship, paying yearly 57 s. 3 d. Dated Edinburgh, 4th May 1581; witnesses, Archibald Dundas, James Prymros and Edward Mekiljhone, servitors to the Iconimus. (f. 137.)

Precept of *Clare Constat,* in favour of Agnes Vilsone, spouse of Andrew Symont in Montgarswod, Janet Wilsoun, spouse of James Grey in Weltoun and Margaret, Marjory and Elizabeth Wilsoun, all daughters of the deceased John Vilsoun in Oxinschaw in the 6 s. 8 d. lands of Oxinschaw in said lordship, paying yearly 10 s. 2 d. Dated Edinburgh, 1st June 1581; same witnesses. (f. 137.)

Charter confirming a charter by William Cunnyngham of Caprintoun to Richard Smyth in Carleyth of the 4 s. 9 d. lands of Carleyth now occupied by the said Richard in the said lordship, paying yearly 4 s. 9 d., and 5 d. of augmentation, with duplication at the entry of heirs, service at courts, etc. Dated Mauchlein, 23rd May 1569; witnesses,

Hugh Cambell of Killocht, John Mur of Park, William Cunningham, son and heir apparent of the granter, and George Angus, notary. The charter of confirmation is dated Edinburgh, 8th July 1581; witnesses, Archibald Dundas, James Prymros and Robert Suord, servitors to the Iconimus. (f. 137.)

Note of Charter to William Reid of the 4 s. 9 d. lands of Carleyth corresponding in all respects with the preceding charter to Richard Smyth; omitted for the sake of brevity. (f. 138.)

Charter to Robert Richert (Richartsoun in margin) of the three merk lands of Clonaye and the 16 s. 8 d. lands of Knokquhynschert occupied by John Cunningham and Margaret Bannantine in the lordship of Monkland, and earldom of Carrik, which lands belonged to Umphray Richert of Clonnay and were resigned by him, paying yearly for Clonnay three merks and for Knokquhynschert 16 s. 8 d., and 40 d. and 20 d. of augmentation for these respectively with duplication, service at courts, etc., reserving the liferent to the said Umphray. Dated Edinburgh, 15th June 1581; same witnesses. (f. 141.)

Charter to Robert Richert, son and heir apparent of Umphray Richert of Clonnaye and Margaret Fergushill, daughter of Archibald Fergushill, burgess of Ayr, his future spouse, in conjunct fee, of the 16 s. 8 d. lands of Knokinshert presently occupied by John Wilsoun in said lordship of Monkland, and which formerly belonged to Umphray Richert of Clonnaye and were resigned by him, paying yearly 16 s. 8 d., and 20 d. of augmentation, with duplication, service at courts, etc. Dated Edinburgh, 15th June 1581; same witnesses. (f. 142.)

Precept of *Clare Constat,* in favour of John Pawtoun as heir of the deceased James Pawtoun in Carleyth, his father, in the 13 s. 4 d. lands of Carleyth in the lordship of Kyllismuir, paying yearly 14 s. 8½ d. Dated Edinburgh, 15th June 1581; same witnesses. (f. 143.)

Charter confirming a charter by William Cunnyngham of Caprintoun to Andrew Reid in Auchmunnoch of the 5 s. lands of Auchmunnoch which the said Andrew now occupies in said lordship, paying yearly 5 s., and 6 d. of augmentation with duplication at the entry of heirs, service at courts, etc. Dated as the charter to Richard Smyth. The charter of confirmation is dated Edinburgh, 15th June 1581; same witnesses. (f. 143.)

Precept by Alexander, Commendator of Culros, as administrator of the monastery of Melrose, in terms of letters from the Lords of Council directing sasine to be given to Dame Katherine Ker, lady of the conjunct fee of the lands of Danzealtoun, in liferent, and to John Ker, brother german and heir of provision of the deceased Andrew Ker, and his heirs, as heritable feuars of the town, lands and teinds of Danzealtoun, to be held in feufarm as freely as the deceased Gilbert Balfour of Vastray or Archibald Balfour, his son and heir, formerly held the same, paying yearly six chalders of barley or 8 s. for every boll with 20 s. of augmentation, duplication at the entry of heirs, etc. Dated Edinburgh, 15th July 1581; witnesses, Archibald Dundas, David Aikaine and James Prymros, servitors to the Iconimus. (f. 144.)

Charter to John Wilsoun, son and heir apparent of the deceased Richard Wilsoun of Monkarde, of the 6 s. 8 d. lands of Ard and the 5 s. lands of Meikilwode called Reddinheid lying in the lordship of Kyllismuir, which formerly belonged to Richard Wilsoun, father of the said John Wilsoun, resigned by him in favour of his son, paying yearly 11 s. 8 d., and 5 d. for arreage and carriage, 9 d. for bondage silver and 4 s. 4 d. of augmentation, with duplication at the entry of heirs, service at courts and in the field and thirlage, etc. Dated Edinburgh, 10th November 1581; witnesses, Archibald Dundass, James Prymrois and Edward Mekiljhone, servitors to the Iconimus. (f. 145.)

Charter to George Reid, son and heir apparent of Andrew Reid in Auchtmunnoch, of the 5 s. lands of Auchinmunnocht in said lordship, which formerly belonged to the said

Andrew Reid, paying yearly 5 s., and 6 d. of augmentation, with duplication, service at courts, etc. Dated Edinburgh, November 1581; same witnesses. (f. 146.)

Precept of *Clare Constat,* in favour of William Karnekorse now of Colmislie as heir to the deceased Robert Karnekorse of Colmislie, his father, in the mill of Newtoun with the multures thereof, paying the duties contained in the old infeftments thereof. Dated Edinburgh, —— November 1581; witnesses, —— (f. 147.)

Charter confirming a charter by Christina, Janet, Bessie, elder, Bessie, younger, and Margaret Michell, sisters and heirs portioners of the deceased John Michell in Logan, to Robert Michell, brother german of the deceased Andrew Michell of Brayhed, of their five parts of the 14 s. 10 d. lands of Logan with the pertinents, extending to a 12 s. 3½ d and ⅕ d. land, each part extending to a 2 s. 5½ d. and ⅕ d. land in the lordship of Kyllismuir; also another charter by Margaret Michell, lawful sister and one of the six sisters and heirs portioners of the foresaid deceased John Michel, with consent of William Smyth of Bogend, her spouse, to the foresaid Robert Michell of her sixth part of the foresaid 14 s. 10 d. land of Logan, extending likewise to a 2 s. 5½ d. and ⅕ d. land; both charters dated Over Logan, the former on 7th March 1579; witnesses, John Cambell of Logan, Adam Aird, elder of Kathrein, Robert Wilsoun in Lindsayhill, and John Duncan in Logan, and the latter on 14th December 1580; witnesses, David Durie of Garpoill, William Michell in Blaksyd, Patrick Michell of Burnhed, Hugh Crawfurd in Brakhawhill, Thomas Browning in Blakbriggis, and Robert Smyth in Gilmuliscroft. The charter of confirmation is dated Edinburgh, 6th December 1581; witnesses, Archibald Dundas, James Prymros, Edward Mekiljhone and James Maistertoun. (f. 147.)

Charter to Mr. Peter Prymros, minister of the gospel at Mauchleine, of the 4 s. 4 d. lands of Over Logan occupied by John Duncan in said lordship, which belonged to Robert Michell in Logan and were resigned by him, paying yearly 6 s. 4 d., with duplication at the entry of heirs,

service at courts, etc. Dated Edinburgh, —— December 1581; witnesses, —— (f. 150.)

Precept of *Clare Constat,* in favour of Thomas Allan as heir to the deceased John Allan, his brother, in the 22 d. lands of Gresyardis in said lordship. Dated Edinburgh, 1st February 1581; witnesses, Archibald Dundas, James Prymros and Robert Bruce, servitors to the Iconimus. (f. 151.)

Precept of *Clare Constat,* in favour of Alexander Farquhar as heir to his father the deceased William Farquhar in the 7 s. 6 d. lands of Hoilhous of Dalsangen in said lordship, paying yearly 11 s. 4 d. Dated at Edinburgh, 1st February 1581; witnesses as in the last precept. (f. 151.)

Precept by King James the Sixth under the quarter seal, narrating that the lands of Hartsyd, Easter, Wester and Middle, with the mains of Hartsyd or Veidpethhed in the constabulary of Haddington, which belonged heritably to James Douglas, formerly Commendator of Pluscardin, natural son of the deceased James, sometime Earl of Mortoun, who was justified to the death for the odious and detestable murder of our late dearest father, and which have now fallen in our hands through his forfeiture, and because the king desires that the said lands should not be prejudiced for want of a tenant, he provides therefor Alexander Home of Manderstoun and Janet Home, his spouse, and requires the said Commendator to receive them as tenants in the said lands. Dated Holyrood House, 16th December 1581. (f. 152.)

Charter narrating the terms of the preceding precept and granting to Alexander Home of Manderstoun and Janet Home, his spouse, in feufarm the lands of Hartsydis, Easter, Wester, and Middle, with the mains of Hartsyd *alias* Veidpethhed, to be held for the yearly payment of £40. Dated Edinburgh, 8th February 1581; witnesses, Archibald Dundas, James Dundas, James Prymros and Robert Burrall, servitors to the Iconimus. (f. 153.)

Precept of *Clare Constat,* in favour of William Huntar as heir to his father the deceased Robert Hunter of Villiamlawe . . . . in all and whole five marks of the town and lands of Blanslie Nether with croft, houses, buildings and garden thereof, with a part and quantity of the said town and lands lying in rinrig, which the said deceased Robert and his sub-tenants have occupied, with those two pendicles of the said lands called Bredwodscheill and Braidwodheid [called] hous of Hill, with their sundry rights privileges and pertinents lying within the sheriffdom of Roxburgh and our lordship of Melrose; which town and lands of Nether Blanslie with the pertinents are bounded and marched by these meaths and boundaries underwritten, viz. from the west, beginning at the Mosburne and ascending eastwards to the Hollitcarne, thence ascending eastwards to the 'standand stane' in Routhrig, and thence descending eastwards to the march dyke or Monk's dyke, and thence extending northwards to the chapel walls or Cheild Lyells Cheppill Vallis, thence descending by the burn called Milseyburne, thence extending southwards and ascending to Liells Cross, and thence ascending southwards to the Hie Cross, thence descending southwards to the Helburn ford, and descending by the said burn eastwards to the lands of Vilkinshauche, and descending southwards to the 'auld watter gang of Midstreme of Leder,' and descending southwards by the middle thereof to the march called the Erlis aiker, and thence ascending westwards by the burn called Hawikischeilburne to the Over Loche, and ascending westwards to the 'commoun merkat gat,' and descending westwards to a place called the Villibuss beside the auld dyke in Vindilawcruik, and thence ascending northwards by the burn called the Blakburne and the Blakfurd thereof, and ascending northwards to the middle of the Helmoss, thence descending northwards through the middle of the Helmoss to the burn called the Mosburne; lying in the lordship of Melrose and sheriffdom of Roxburgh, between the lands of the forest of Lauder on the north, the lands of the monastery of Dryburgh on the south, the lands called Quhytsteed

and lands of the monastery of Dryburgh and lands of Kirkinsyd respectively on the west, and the lands of the monastery of Melrose called Comisleyhill and Threpwodschaw respectively on the west . . . to be held for the yearly payment of 5 s. 4 d. for the lands and for the two pendicles two merks 3 s. with 3 s. of augmentation. Dated Edinburgh, 12th February 1581; witnesses, Archibald Dundas, James Dundas, James Prymros and Robert Burrall. (f. 154.)

Precept of *Clare Constat,* in favour of John Kennedy, Earl of Cassillis, Lord Kennedy, as heir to his grandfather the deceased Gilbert Kennedy, Earl of Cassillis, and Lady Margaret Kennedy, his spouse, in the 9 merk lands of Largis, the 5 merk 6 s. 8 d. lands of Knokraver, the 5 merk lands of Lagdilduff and the half merk land of the lands of Monkland in the bailiary of Carrik, paying yearly 30 merks. Dated Edinburgh, 8th March 1581; witnesses, Archibald Dundas, James Prymros, and Edward Mekiljhone, burgesses of Edinburgh. (f. 155.)

Precept of *Clare Constat,* in favour of Elizabeth Cambell as heir of the deceased Nathaniel Cambell, her brother german, in the 31 s. lands of Overhauch called Kinzeancleuche and the 5 s. lands of Macknathiscroft, the 30 d. lands of Scheild, the 12 s. lands of Netherhaucht within Kinzeancleuch, the 6 s. lands of Netherhaucht and half merk land of Vilkiestoun, the 4 s. lands of Brigend and the meadow of Makclanochanstoun, being a 12 d. land, also the fishing in the water of Ayr within the bounds contained in the charter of the deceased Robert Cambell, her father, likewise the 21 s. 9 d. lands of Bruntscheillis with the salmon fishings in the said water of Ayr and the site of the fulling mill of the Haucht with a tenement and garden in the town of Mauchlen called Byreknow, paying yearly £5, 6 s. 3 d. Dated Edinburgh, 3rd April 1582; same witnesses. (f. 155.)

Precept of *Clare Constat,* in favour of John Kyll in Lassuddane as heir to his father the deceased George Kyl in half of a husbandland with garden, etc. there, occupied

by the said John Kyll, paying yearly 18 s. 6 d. Dated Edinburgh, 2nd May 1582; witnesses, Archibald Dundas, Robert Burrall and James Prymrose, servitors to the Iconimus. (f. 156.)

Precept of *Clare Constat*, in favour of Richard Valker as heir of the deceased Robert Valker, his father, in the 6 s. 4 d. lands of Nether Bargoure in the lordship of Kyllismuir, paying yearly 9 s. 8½ d. Dated Edinburgh, 2nd May 1582; same witnesses. (f. 157.)

Charter to Katherine Kennedy, lawful spouse of David Kennedy of Knokdaw, in liferent, and Hugh Kennedy, their lawful son, heritably, of the one merk land of Corrifentoun in the earldom of Carrik, which formerly belonged to the said David Kennedy, paying yearly one merk and 20 d. of augmentation with duplication at the entry of heirs, etc. Dated Edinburgh, 19th December 1582; same witnesses. (f. 157.)

Precept of *Clare Constat*, in favour of Mungo Rid as heir of his deceased father William Rid, son of Mungo Rid of Drumfork, in the £3, 6 s. 8 d. lands of Drumfork, Brakinhill and Hallingaip and the two merk lands of Glenbuk Eister in the lordship of Kyllismuir, paying yearly 9 merks 13 s. 2 d. Dated Edinburgh, 10th June 1582; witnesses, Archibald Dundas, David Wrycht and James Prymros. (f. 158.)

Precept of *Clare Constat*, in favour of Thomas Kennedy, now of Ardmillan, as heir of the deceased John Kennedy, of Ardmillan, his father, in the £5 lands of Grange, the £4 lands called Munkvod, the £2 lands of Semornay and the half merk land called Beyound the Mure, with the mill of Corvey and mill lands and multures thereof with astricted multures of the lands of Monkland in Carrik, paying yearly the duties respectively due for the several lands, etc. Dated Edinburgh, 5th July 1682; witnesses, James Prymrois, servitor to the Iconimus, George Mak, notary, and John Kennedy of Culnane. (f. 158.)

Charter to John Durie, son and heir apparent of David Durie of Garpoill, of the four merk lands of Turdnyse and

the 40 s. land of Garpoill in the lordship of Kyllismuir, which belonged to the foresaid David Durie heritably, and were resigned by him, paying yearly for the lands of Turdnyse 8 merks and for Garpoill 6 merks with duplication at the entry of heirs, service at courts, etc.; dated —— (the charter is not completed). (f. 159.)

Charter to Adam Douglas of Vatersyd in liferent and to George Douglas, his son and the lawful heirs male of his body in fee, of the four merk lands of Biblingwodhall presently occupied by Thomas Gibsone, elder and younger, in said lordship, paying yearly 4 merks, 10 d. for arreage and carriage, 9 d. for bondage silver and — s. of augmentation, with duplication at the entry of heirs, services at courts and in the field, etc. Dated St. Andrews and Cumrie, 7th and 9th June and October 1582; witnesses Mr. David Rutherford, our pedagogue, Henry Chaip, apparent of Mawhill, Henry Douglas, servitors of 'my' father the Lord of Lochlevin, Archibald Dundas, James Prymros and Robert Birrall, servitors to the Iconimus. (f. 160.)

Charter to William Douglas of Lochlevin, father of the Commendator, of the lands of Tolquhar, Crury, Yetbyre, Kirkfauld, Christelschaw, Blakstoill, Rowdono, Powmonk, Powcleise, Glendarge, Cassope, Finglene, Avirbosk, Middillawhed, Raburne, Hairwod, Middilburne, Tunnerhill, Jhonstoun, Watcarrocoit, Todschawhill, Watcarrokgrange, Garvaldhous, Crukitheuche, Dunfedling and Cubinburne and the lands called Kirkland, with the teinds of the above lands lying within the regality of Melrose, stewartry of Annandale and shire of Drumfreis, for the yearly payment for Tolquhar £6, 13 s. 4 d., for Crury £6, 6 s. 8 d., for Yetbyre £6, 13 s. 4 d., for Kirkfauld £3, 6 s. 8 d, for Castelschaw £3, 6 s. 8 d., for Blakstoill £6, 13 s. 4 d., for Rowdono £3, 6 s. 8 d., for Powmonk £3, 6 s., for Powcleise £3, 6 s. 8 d., Glendarg £6, 13 s. 4 d., Cassope £5, Finglene £5, Avirbosk £5, Midlawheid £5, Raburne £10, Hairwod £10, Middilburne £3, 6 s. 8 d., Tymmerhill £5, Johnstoun £5, Watcarrocoit £6, 13 s. 4 d., Todschawhill £3, 6 s. 8 d., Watcarrokgrange £10, Garvald-

hous, £6, 13 s. 4 d., Crukitheuche £5, Dumfedling £3, 6 s. 8 d., Cubinburne £3, 6 s. 8 d. and Kirkland £3, 6 s. 8 d., extending in all to £76, 16 s. 8 d., with service at courts etc. Dated Lochleuin, 9th October 1582; witnesses, Henry Dowglas, Alexander Baverage, James Drysdall, Archibald Dundas, and James Prymros, servitors to the Iconimus. (f. 161.)

Precept of *Clare Constat,* in favour of James Gib, as heir of the deceased James Gib in Auchmilling, his father, in the 6 s. 8 d. lands of Auchmilling in the lordship of Kyllismuir, paying yearly 10 s. 2 d. Dated Edinburgh, 5th December 1582; witnesses, Archibald Dundas, Mr. James Dundas, precentor of Moray, Robert Birrall and James Prymros. (f. 163.)

Precept of *Clare Constat,* in favour of John Gib as heir of the deceased John Gib in Auchmilling, in the 6 s. 8 d. lands of Auchmilling in said lordship, paying yearly 10 s. 2 d. Dated Edinburgh, 5th December 1582; witnesses, Archibald Dundas, Robert Burrall and James Prymros, servitors to the Iconimus. (f. 163.)

Precept of *Clare Constat,* in favour of John Rid in Velwode as heir of his father the deceased James Rid in Velwode, in the 30 d. lands of Grenoktoun and the 17 d. lands of Grisyeardis in said lordship, formerly disponed by James Rid, son of Margaret Hamiltoun, first feuar thereof, to Thomas Rid in Velwode, son of his brother, and afterwards disponed by the said Thomas Rid to James Rid in Veluod, his uncle, father of the foresaid John Rid, bearer of these presents, which lands are held for the yearly payment of 7 s. 9 d. Dated Edinburgh, 9th December 1582; same witnesses. (f. 163.)

Precept of *Clare Constat,* in favour of John Law as heir of the deceased John Lawe of Holhous, his father, in the 10 s. lands of Holhous in said lordship, paying yearly 14 s. 10 d. Dated Edinburgh, 18th December 1582; same witnesses and Edward Mekiljhone. (f. 164.)

Charter to John Campbell in Logane of the 11 s. 8 d. lands of Mekilwod commonly called Barquhilling in said

lordship, which formerly belonged to Mr. Peter Prymros, paying yearly 17 s. 2½ d. Dated Edinburgh, 19th December 1582; same witnesses. (f. 164.)

Charter to William Huchone, son and heir of John Huchone in Hilar, of the 10 s. 8 d. lands of Nether Hilar in said lordship, which belonged to the foresaid John Huchone, paying yearly 10 s. 8 d., 4½ d. for arreage and carriage, 9 d. for bondage silver and 4 s. of augmentation, with duplication at the entry of heirs, service at courts and in the field, thirlage to the mill of Mauchlein, etc. Dated Edinburgh, 21st December 1582; same witnesses. (f. 165.)

Precept of *Clare Constat,* in favour of George Cossare as heir of the deceased James Cossare of Hassintoun, his father, in the 10 s. lands of Hassintoun, paying yearly 12 s. 6 d. Dated Edinburgh, 23rd January 1582; witnesses, Archibald Dundas, Edward Mekiljhon, Robert Mekiljhon and James Prymros, notary, servitors to the Iconimus. (f. 166.)

Precept of *Clare Constat,* in favour of Thomas Richert, now of Nether Mekilwood, as heir to the deceased Mungo Richert of Nether Mekilwod, his father, in the 4 s. 6 d. lands of Nether Mekilwod in the lordship of Kyllismuir, paying yearly 7 s. 1 d. Dated Edinburgh, 6th February 1582; witnesses, Archibald Dundas, Robert Birrall, James Maistertoun and James Prymros, notary, servitors to the Iconimus. (f. 167.)

Charter to Adam Ard in Katherine of the 31 d. lands of Veltoun in said lordship which formerly belonged to John Ard, second son of the said Adam Ard, and were resigned by him paying yearly 21 s., with duplication, services at courts, etc. Dated —— (the charter is not completed). (f. 167.)

Precept of *Clare Constat,* in favour of Elizabeth, Agnes, Barbara, Christina, Margaret and Katherine Carncorse as heirs portioners of the deceased John Carncorse, eldest son of Charles Carncorse in Collmislie, their brother, in the

half lands of Laudhopmuir with the teinds and half of the moss of Ridcorsmos occupied by the said Charles Cairncorse, paying yearly 27½ stones of butter or 6 s. 8 d. for each stone and three fidders of turf or 40 d. for each, extending in money to the sum of 14 merks and 40 d. Dated Edinburgh, 24th February 1582; witnesses, Archibald Dundas, Robert Birrall, Edward Mekiljhone and James Prymros, notary. (f. 168.)

Precept of *Clare Constat,* in favour of Alexander Allane now in Montgarswod as heir of the deceased William Allane in Montgarswod, his father, in the 4 s. 7½ d. lands of Montgarswod in the lordship of Kyllismuir, held, paying yearly 7 s. 8 d. Dated Edinburgh, 16th March 1582; witnesses, Archibald Dundas, Robert Birrall, James Maistertoun and James Prymros, notary. (f. 168.)

Precept of *Clare Constat,* in favour of Agnes and Janet Michell as heirs of the deceased Robert Michell of Burnheid, their father, in the 20 s. lands of Burnheid in said lordship. Dated Edinburgh, —— March 1582; same witnesses. (f. 169.)

Charter narrating that the 9 merk lands of Largis, the 5 merks 6 s. 8 d. lands of Knokcravell [Knockcraver], the 5 merk lands of Lagdalduf, and the half merk land of Largis, extending to a 20 merk land of the lands of Monkland which belonged heritably to John, Earl of Cassillis, son and heir of the deceased Gilbert, Earl of Cassillis, in the bailiary of Carrik, were apprised from the said John, Earl of Cassillis, and Thomas Kennedy, his tutor, before Robert Campbell, Carrik pursuivant, as sheriff in that part, at the instance of John Kennedy now of Barquhany, son and heir of the deceased Hugh Kennedy of Barquhany, as assignee of Thomas Kennedy of Culzeane, who had sued the deceased Gilbert, Earl of Cassillis, for the payment of £530, and has obtained precept for infeftment in the said lands, therefore granting to the said Thomas Kennedy of Culzeane and Elizabeth McGill, his spouse, in liferent, and Thomas Kennedy, their son and heir apparent, and his heirs and assignees heritably the lands

foresaid to be held in feufarm for the yearly payment of ——. Dated Edinburgh, 30th March 1583; same witnesses. (f. 169.)

Charter confirming a charter by Mathew Reid of Blaksyd and John Reid in Wolwood to James Rid, son and heir apparent of the said Mathew, of the 5 s. lands of Grenoktoun in the lordship of Kyllismuir, paying yearly 7 s. 10 d. with duplication, etc. Dated Velwode, 2nd February 1582; witnesses, John Gemmell, notary, David Borland, his servant, James Reid in Corsboge and Andrew Vilsone in Grene. The charter of confirmation is dated Edinburgh, 18th April 1583; witnesses, Archibald Dundas, James Prymros, Edward Mekiljhone and James Reid. (f. 170.)

Charter to John Reid in Welwod and Christina Chreichtoun his spouse, of the 17 d. lands of Grasyards which formerly belonged to Mathew Reid in Blaksyd and the 17 d. lands of Grasyards which formerly belonged to the said John Reid in Welwod extending together to a 34 d. land in said lordship, which lands the said John Reid resigned for this new grant, to be held for the yearly payment of 34 d., and 11 d. of augmentation, with duplication, service at courts and thirlage to the mill of Mauchleine, etc. Dated Edinburgh, 18th April 1583; witnesses, Archibald Dundas, James Prymros and Robert Birrall, servitors to the Iconimus. (f. 171.)

Charter to John Corrie, son of Thomas Corrie of Colosvintoun, of the 5½ merk lands of Fischertoun which formerly belonged to George Corrie of Kelwod and Margaret Blair his spouse, in the lordship of Monkland and earldom of Carrik, paying yearly 6 merks with duplication, services at court, etc. Dated Edinburgh, —— May 1583; witnesses, Edward Mekiljhone, burgess of Edinburgh, Robert Birrall, James Maistertoun and James Prymros, notary, servitors to the Iconimus. (f. 172.)

Letter of Regress narrating that George Corrie of Kelwode and Margaret Blair, his spouse, have sold to John Corrie, lawful son of Thomas Corrie of Coloschontoun, 5½ merk lands of Fischertoun in said lordship of Monkland,

under reversion for payment of the sum of £10, notwithstanding which they grant that when the said George Corrie and his spouse pay the above sum to the said John Corrie and his heirs, they shall have regress to the said lands. Dated Edinburgh, 10th May 1583; witnesses, Archibald Dundas, James Prymros, Robert Birrall and James Maistertoun, servants to the Iconimus. (f. 173.)

Precept of *Clare Constat,* in favour of Janet and Agnes Michell as heirs of the deceased James Michell of Burnehed, their grandfather, in the 30 d. lands of Netherwode, paying yearly 5 s. 6 d. Dated Edinburgh, 11th May 1583; witnesses, Edward Mekiljhone, Robert Birrall, James Maistertoun and James Prymros. (f. 173.)

Charter to Adam Aird, grandson of Adam Aird of Over Katherne, of the 12 s. 6 d. lands of Over Catryne, formerly belonging to the said Adam Aird, paying yearly 12 s. 6 d., and 5½ d. for arreage and carriage, 9 d. for bondage silver, and 4 s. 8 d. of augmentation with duplication at the entry of heirs and thirlage to the mill of Mauchline, etc. Dated Edinburgh, 3rd June 1583; witnesses, David Aikine, Mathew Reid, James Prymros and James Maistertoun. (f. 174.)

Precept of *Clare Constat,* narrating that at an inquest held in the dwelling house of Andrew Wilsone in Greine before Nicolas Scherar, sheriff of Ayr, on 2nd May 1583, it was found that John Michell was heir to the deceased Patrick Michell of Burnehed, his father, in the 20 s. lands of Burnehed and 7 s. lands of Bludburne in the lordship of Kyllismuir, held for the yearly payment of 38 s. 10½ d., and directing sasine thereof to be given to the said John Michell. Dated Edinburgh, 3rd June 1583; witnesses, Archibald Dundas, James Maistertoun and Thomas Boyne. (f. 174.)

Precept of *Clare Constat,* in favour of John Wilsone as heir of the deceased James Wilsone in Nether Catryne, paying yearly 13 s. 6 d. Dated Edinburgh, 3rd June 1583; witnesses, David Aikine, Mathew Cambell of Blaksyd, Thomas Boyne and James Prymros. (f. 174.)

On a loose sheet inserted here there is a receipt by Mr. John Nisbit, minister at Tarboltoun Kirk, in name of George Campbell of Cesnok, to the Iconimus for a feu charter of certain lands in the lordship of Kyllismuir called the Quhythauche, Barboche, Crofthed, Auchmilling and others belonging to the said George Campbell. Signed by the Abbot and Convent of Melrose and their Iconimus. Dated Edinburgh, 20th May 1584. The receipt is dated Edinburgh, 11th February 1585; witnesses, James Maistertoun and James Prymros, notary, servitors to the Iconimus. (f. 175.)

Charter to James Wilsone, son of John Wilsone in Nether Catryne, of the 9 s. 3 d. lands of Nether Catryne, which the said John Wilsone resigned in favour of the said James Wilsone, his son, in said lordship, paying yearly 9 s., 6 d. for arreage, 9 d. for bondage silver and 3 s. 3 d. of augmentation, making in all 13 s. 6 d. with duplication at the entry of heirs, service at courts and thirlage, etc. Dated Edinburgh, —— 1583; witnesses. Edward Mekiljhon, Thomas Boyn, James Dundas and James Prymros, notary. (f. 175.)

Charter confirming a charter by George Reid of Bruntscheill to James Reid of Corsbyre, his brother, of the 28 s. lands of Bruntscheill presently occupied by the said James Reid, and Janet Reid, his mother, in said lordship, paying yearly 41 s. 6 d., with duplication at the entry of heirs, service at courts and in the field, thirlage to the mills of Mauchline, etc. Dated Mauchline, 13th June 1583; witnesses, Robert Crawfurd of Smidieschawe, William Reid in Craigistoun, George Reid of Daldilling and James Robesone, servitor of Margaret, Lady Stewart of Uchilthre. The charter of confirmation is dated Edinburgh, 23rd July 1583; witnesses, Archibald Dundas, James Maistertoun, Edward Mekiljhone and James Prymros, notary. (f. 176.)

Charter to Allan Wilsoun, son and heir apparent of Allan Wilsoun, of the half merk land of Mukaid [*sic*] and the 5 s. lands of Nether Mekilwod in Reddinhed in said

lordship, which the said Allan Wilsoun resigned under reservation of his own liferent and the liferent of his spouse, Marion Gibsoun, of the 40 d. lands of the half merk land of Mukaid, to be held for yearly payment of 11 s. 8 d. with 5 d. for arreage and carriage, 9 d. of bondage silver, and 4 s. ½ d. of augmentation, with duplication at the entry of heirs, service at courts and in the field and thirlage to the mill of Mauchline, etc. Dated at ——. (Testing clause not filled in.) (f. 177.)

Charter to Marion Macgowane of the 20 d. lands of Weltoun in said lordship, which formerly belonged to John McGowane, paying yearly 13 s. 11½ d., with duplication at the entry of heirs, service at courts and thirlage to the mill of Mauchline, etc. Dated Edinburgh,——. (f. 178.)

Charter to William Reid of Garphall of the 7 s. 6 d. lands of Newtoun in said lordship, which formerly belonged to James Adam and were resigned by him in favour of the said William Reid, paying yearly 12 s. 3 d., etc. Dated Edinburgh, 17th February 1583; witnesses, Archibald Dundas, James Dundas and James Prymros. (f. 179.)

Charter to William Reid, son of William Reid of Garphall, of the 11 s. lands of Garphall in said lordship, resigned by the said William Reid for this regrant in favour of his said son under reservation of his liferent, paying yearly 23 s. 4 d. with 4 s. of augmentation, duplication at the entry of heirs, service at courts and thirlage to the mill of Mauchline, etc. Dated Edinburgh, 18th February ——; witnesses, Archibald Dundas, Robert Birrall and James Maistertoun. (f. 179.)

Precept of *Clare Constat,* in favour of William Thorbrand as heir of the deceased James Thorbrand in Lassudwyne, his father, in 1¼ husband lands with pertinents in the territory of Lassudwyne, reserving the fishings and stone quarries, etc., held for the yearly payment of 46 s., and other payments. Dated at ——. (f. 180.)

Charter confirming a charter by William Bowstoun in Weltoun for fulfilment of the contract of marriage between

his daughter, Janet Bowstoun, and William Bowstoun in Hauch, dated Mauchline, 20th December 1579, whereby he grants to the said Janet Bowstoun and the heirs of the said marriage, whom failing, to Agnes and Katherine Bowstoun, her sisters, and their heirs equally between them the 20 d. lands of Weltoun now occupied by himself in the lordship of Kyllismuir under reservation of his own liferent and the terce of Janet McClanochan, his spouse, paying yearly 13 s. 11½ d., with duplication at the entry of heirs, service at courts and in the field, thirlage to the mills of Mauchline, etc. Dated, ——. (The testing clause is not filled in.) (f. 180.)

Precept of *Clare Constat,* in favour of Mr. George Lauder as heir to the deceased Mr. James Lauder, his brother, in the lands of Panchills, Preistlaw, Kingsyd, Freirdyks, Winterscheills and Newgrange in the constabulary of Haddington and shire of Edinburgh. Dated Cumre, 21st May 1584; witnesses, Archibald Dundas, James Prymros, Robert Birrall and Patrick Paterson, servitors to the Iconimus. (f. 182.)

Precept of *Clare Constat,* in favour of Robert Ferquhar of Gilmilliscroft as heir to his father the deceased Robert Farquhar of Gilmilliscroft in the mill of Dalsangane with the mill lands and astricted multures thereof, also the 2 s. 4 d. lands of Clonehald beside the said mill lands on the east, in the lordship of Kyllismuir, paying yearly £13 12 s. 6 d. Dated at Vester Cumrie, 23rd July 1584; witnesses, Mr. Henry Lewingstoun, Robert Foster, Robert Aikene and James Primrose. (f. 184.)

Precept of *Clare Constat,* in favour of John Campbell as heir of the deceased James Campbell in Corsflat, his father, in the 27 s. lands of Eschehauchburne in said lordship, paying yearly 38 s. 10½ d. Dated Edinburgh, 11th December 1584; witnesses, John Spottiswode of Fular, James Maistertoun and James Prymros, notary. (f. 185.)

'Alexander Youngis Letter of tak.

'Be it kend till all men be thir present letters Us James

Commendatar of Melros witht adwyse and consent of Alexander Commendatar of Culrois our iconimus and convent of our said abbay For certane causes and gud service done and to be done to us be our lovit servitour Alexander Young notter publict and for certane uthiris guid considerationis and motivis mowing us therfor to have set and for maill lattine and be the tennour heirof settis and for maill lattis to the said Alexander Young and his airis quhatsumever All and haill the yairdis and greins respective abonewrettine [*sic*] That is to say the yard callit the baikhous yeard lyand within the mantill wall of the said abbay betuix the mill and mill dene on the southt part, the commoun gait to the Watter of Tueid on the eist part, and the said mantill wall on the northt and west partis of the said yeard; ane uthir yeard quhilk sumtyme pertinit to —— —— ane of the monkis of the said abbay, presentlie occupyit be the said Alexander Young, lyand within the mantill wall of the said abbay betuix the mill dene on the northt, the said mantill wall on the west, the hie streit that passis to the said abbay on the southt, and the baikhous grein on the eist; all and haill the said baikhous of the said abbay quhilk is ruinus and decayit, witht the greine thairof, lyand betuix the mill dene on the northt, the yeard presentlie occupyit be the said Alexander on the vest, the hie passage to the said abbay on the southt and eist partis thairof; and ane uthir pece yeard presentlie occupit and wine out be the said Alexander lyand betuix the yeardis presentlie occupyit be Andro Lynlithtquhow on the southt and est partis, the yeard occupyit be William Edgar one the west part, and the hie passage of the said abbay on the northt parte, all lyand withtin the mantill wall of the said abbacie [*sic*] of Melros, lordschip and regalitie of the samyn, and withtin the schirefdome of Roxburght, For all the dayis space yeiris and termis of nynteine yeiris nixt and immediatlie following thair entre thairto quhilk entre of the said Alexander and his forsaidis salbe and begine at the day and det of this present tak and fra thyne furtht to indur and to be peaciable bruikit josit labourit and manurit

be the said Alexander and his forsaidis be all rycht methis and merchis as the samin lyis in lentht and breid during all the tyme thairof frele quyetlie weill and in pece bot ony impediment obstakill or aganecalling quhatsumever: Payand thairfor yeirle the said Alexander Young and his airis quhatsumever to us our successouris chalmerlanis and uthiris in our name the sowme of fourtie schillinge money usuall of this realme at tua termis in the yeir Witsonday and Mertimes in wintar be equall portionis alanarlie, Reserwand to us and our successouris abbotis of the said abbaye of Melrois the fruit of the fruit treis of the saidis yeardis to be usit and disponit be us and our forsaidis at our plesouris. And we forsuitht and our successouris abbottis of our said abbay this our present tak and assedatioun of all and haill the forsadis thre yeardis baikhous and greine thairof lyand as said is to the said Alexander Young and his airis quhatsumever in all and be all thingis as is abone specifeit duiring the said space of nynteine yeiris sall warrand acquyet and defend aganis all deidlie as law will but fraud or gyll. In witnes of quhilk thing to this our present tak and assedatioun subscryvit with our handis our commoun saill is appendit At Edinburgh the fyftene day of December the yeir of God j^{m}v^{c} fourscoir and four yeiris Befor thir witness Jhone Dowglas of Kennistoun, Eduart Mekiljhone burges of Edinburght, and James Mastertoun and James Prymros notter publict.' (f. 185.)

Charter confirming a charter by Robert Crawfurd of Smydeschaw in terms of contract of marriage between John Crawfurd, his son and heir apparent, and Janet Durie, daughter of Elizabeth Campbell in Tordnis with consent of Robert Campbell of Kinzeancleuch and James Michell of Burnhed, her curators, dated 28th May 1562, whereby he grants to the said John Crawfurd and his heirs and assignees whomsoever, the 25 s. 4 d. lands of Smydeschawe and Daldork, the 46 s. lands of Hiteth, the 28 s. lands of Reidwrayth *alias* Clerkscheills in Barmure, extending in all to a £40 19 s. 4 d. land in the lordship of

Kyllismuir, under reservation of his own liferent, paying yearly £7 13 d. with duplication at the entry of heirs, service at courts and in the field, thirlage to the mill of Mauchline, etc. Dated Kinzeancleuch, 1st June 1562; witnesses, Robert Campbel of Kinzeancleuch, George Campbel, his brother german, Mungo Reid of Drumfork, Robert Michell of Brayhed and William Alan in Mauchlen. The charter of confirmation is dated Edinburgh, 2nd January 1584; witnesses, Edward Mekiljhon, James Maistertoun and James Prymros, notary. (f. 186.)

Charter confirming a charter by John Farquhar of Hilar to his cousin John Farquhar, burgess of Glasquhowe, of the 13 s. 4 d. lands of The Schawe, the 6 s. lands of Over Quhytflat and the 17 s. lands of Hilar in said lordship, paying yearly 45 s. ½ d., with duplication at the entry of heirs, service at courts, etc. Dated Glasquhowe, 9th December 1584; witnesses, John Graham, burgess of Glasquhowe, James Craufurd, son of Patrick Craufurd of Corsburne, Robert Stewart, son of Malcolm Stewart, William Hegat, notary, and Mr. James Hegat, his son. The confirmation is dated Edinburgh, 2nd January 1584; same witnesses as last confirmation. (f. 187.)

Precept of *Clare Constat*, in favour of Robert Crawfurd now of Smydschawe, as heir to the deceased John Crawfurd of Smydeschawe, his father, in the 25 s. 4 d. lands of Smydeschawe and Daldork, the 46 s. lands of Hitetht and the 28 s. lands of Reidwrayth *alias* Clarkscheills in Barmuir, for the yearly payment of £7 13 d. Dated Edinburgh, 2nd January 1584; same witnesses. (f. 188.)

Charter confirming a charter by James Rid of Corsboge and John Rid of Over Hilar to Robert Reid, son of the said James Rid and grandson of the said John Rid, of the 6 s. 4 d. lands of Over Hilar in said lordship, for the yearly payment of 9 s. 8½ d., with duplication at the entry of heirs, service at courts and in the field and thirlage to the mills of Mauchline, etc. Dated Cumnok, 27th May 1583; witnesses, John Rid of Barskiming, James Robsone, servitor to Margaret, Lady Uchiltrie, John Rid of Merk-

land and David Borland. The charter of confirmation is dated Edinburgh, 24th January; same witnesses as last confirmation. (f. 189.)

Precept of *Clare Constat,* in favour of Robert Sunhous as heir of the deceased George Sunghous, his father, in the 44 s. 6 d. lands of Nether Blainslie with some land in rinrig which the said George occupied (which lands are bounded as formerly given)[1] paying yearly 44 s. 6 d. Dated Edinburgh, 2nd March 1584; witnesses, Edward Mekiljhon, Robert Aikine, James Maistertoun and James Prymros. (f. 190.)

Precept of *Clare Constat,* in favour of Robert Michell as heir of the deceased Andrew Michell of Brehaid, his father, in the 5 s. lands of Mikilwod called The Hill in the lordship of Kyllismuir, paying yearly 7 s. 8 d. Dated Edinburgh, 13th March 1584; witnesses, Robert Aitkin, James Maistertoun and James Prymros, servitors to the Iconimus. (f. 191.)

Charter confirming a charter by Richard Duncan in Holhous Daldilling to John Duncan, his son, of the 9 s. 2½ d. lands of Holhous Daldilling occupied by the granter in said lordship, paying yearly 13 s. 9 d., with duplication, service at courts and thirlage to the mills of Mauchline. Dated Holhous Daldilling, 4th June 1582; witnesses, James Rid in Corsboge, Thomas Gilmyne in Holhous, James Spotiswode there, and John Gemmell notary. The charter of confirmation is dated Edinburgh, 15th March 1584; witnesses, Robert Aitkine, James Maistertoun and James Prymros, notary, servitors to the Iconimus. (f. 191.)

Charter confirming a charter by William Cunningham of Caprintoun to George Wassoune in Auchincloche, of the 3 s. ⅓ d. lands of Auchincloche within said lordship, paying yearly 3 s. ½ d. [*sic*], and 4 d. of augmentation, with duplication, service at courts, etc. Dated Machlinge, 23rd May 1569; witnesses, Hugh Campbell of Killoch,

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[1] See f. 102.

William Cunningham, son and heir of the granter, John Muir of Park and George Angus, notary. The charter of confirmation is dated Edinburgh, 16th March 1584; witnesses, Robert Aitkin, Robert Birrall, James Prymros and James Maistertoun, servitors to the Iconimus.

(f. 193.)

Charter to George Campbell of Cesnok of the 40 s. lands of Nether Quhythauche now occupied by William Campbell, the 18 s. lands of Over Auchmilling now occupied by James Reid and John Sawar, the 10 s. lands of Croftheid in Auchmunnoche now occupied by George Browne, the 30 s. lands in Auchinbrane now occupied by George Nicol and George Bowman, the 14 s. lands in Auchinbran now occupied by Thomas Michell, the 13 s. 4 d. lands in Barboich now occupied by Richard Campbell and John Mongy [*sic*], all lying in said lordship, paying yearly £7 4 d., and 6 s. 8 d. of augmentation with 6 s. 6 d. for arreage, carriage, and bondage silver, extending in all to £7 13 s. 6 d., with duplication at the entry of heirs and service at courts, etc. Dated Edinburgh, 20th March 1584; witnesses, Robert Aikine, James Maistertoun and James Prymros. (f. 194.)

Rentall granted to George Campbell now of Cesnok, who and his predecessors have been kindly tenants in the lands underwritten, and who is therefore admitted as rentaller and tenant of the 40 s. land of Quhythauche, 18 s. land of Over Auchmilling, 10 s. land of Crofthaid in Auchmunnoche, the 30 s. land in Auchinbrane, 14 s. land in Auchinbrane, 13 s. 1 d. land in Barboich, 5 s. land in Auchmunoch occupied by Richard Campbell and the 10 s. land in Auchmennoch occupied by John Magy [*sic*], in said lordship, all which the said George Campbell presently possesses by himself and his sub-tenants. Dated at —— 1574. (f. 196.)

Letter of Bailiary appointing Thomas Kennedie of Ardmillane and his heirs their bailies for five years over the lands of Monkland in the bailiary of Carrik. Dated, ——. (f. 196.)

Charter to Mungo Campbell, natural son to John Campbel in Logane, and Janet Lokhart in Auchmilling, his spouse, and their heirs, of the 6 s. 8 d. lands of Auchmilling now occupied by Alexander Lokhart, father of the said Janet, in said lordship, which lands belong to the said Alexander in liferent and the said Janet heritably, resigned by them for this regrant, paying yearly 10 s. 2 d., with duplication, services at courts, etc. Dated Edinburgh, 24th April 1580; witnesses, Robert Aitkin, Robert Birrall, James Maistertoun and James Prymros, notary, servitors of the Iconimus. (f. 197.)

Precept of *Clare Constat,* in favour of Walter Thorbrand as heir of the deceased John Thorbrand, his father, in a ¼ of a husband land in the territory of Lessudden. Dated Edinburgh, 24th April 1585; same witnesses. (f. 197.)

Charter confirming a charter by Alexander Balfour of Denemill, narrating that the lands of Kingilduris *alias* Chapilkingilduris, formerly held by James, Earl of Bothwell, from the Commendator of Melrose, fell through his forfeiture into the hands of his Majesty, who with consent of James, Earl of Mortoun, Regent, presented the said Alexander Balfour of Denemill as tenant to the same, so that the said lands belong to him although the said Earl alienated them to John Somerwaill of Cambusnethan and his spouse and son, and now for certain sums paid to him by the said John Somerwaill, he grants to the said John Somerville and Katherine Murray, his spouse, in liferent and John Somerwaill, their son, heritably the said lands of Kingilduris in the regality of Melrose and shire of Peebles, paying yearly 12 merks with duplication at the entry of each heir, etc. Dated Edinburgh, 16th February 1573; witnesses, Mr. James McGill, younger, Anthon Young and John Makcalyean, notary. The charter of confirmation is dated at Edinburgh, 1st May 1585. (f. 198.)

Charter confirming a charter by Gilbert Young of Holhouse to Hugh Campbell, younger of Killoche, of the 7 s. 6 d. lands of Holhouse Over, now occupied by James

Rid in the lordship of Kyllismuir, paying yearly 11 s. 4 d., etc. Dated Machlene, 28th October 1577; witnesses, George Campbell, brother german of the said Hugh Campbell, Walter Angus in Machlene, John Kennedie in Ayr and George Baillie there. The charter of confirmation is dated Edinburgh, 1585. (f. 199.)

Charter confirming a charter by Robert Vilsone in Lindsayshill to Robert Vilsone, his son and heir apparent, in terms of contract of marriage between his said son and Janet Aird, daughter of William Aird, dated 15th June 1583, of the 8 s. 4 d. lands of Nether Logane called Lindsayshill in said lordship under reservation of the granter's liferent, for the yearly payment of 12 s. 6 d., with duplication at the entry of heirs, service at courts, etc. Dated Cumnok, 15th June 1583; witnesses, Mathew Rid in Blaksyd, John Campbell of Logane, William Aird in Holl Brintscheill and David Borland. The charter of confirmation is dated Edinburgh, 12th May 1585; witnesses, Robert Aitkine, Robert Burrall, James Maistertoun and James Prymros, servitors of the Iconimus. (f. 200.)

Charter confirming a charter by John Law, citizen of St. Andrews, and John Law, his son, to George Law of Lawis Dyk within the parish of Machlene, in liferent, and James Law, his son, heritably and irredeemably, of the 7 s. 6 d. lands called the Rouchedyk at Lawis Bridge in the parish of Machlene, for the yearly payment of 7 s. 8½ d. Dated Edinburgh, 6th January 1584; witnesses, William Reid of Garfill, John Campbell of Logan, Richard Millar in Hauche and Robert Kirle, servitor to William Sper, writer. The charter of confirmation is dated Edinburgh, 16th May 1585. (f. 201.)

Precept of *Clare Constat,* in favour of John Kirkpatrick now of Alisland as heir to the deceased Thomas Kirkpatrick of Alisland, his father, in the £36 lands of Freirkerse [Freirkerk] with the fishing and the mill thereof called the Grangemill in the parish of Dunscoir and shire of Drumfreis, with the astricted multures of the £36 lands of

Dalgano [? *lege* Dalgouer], Killelago, Breschewallace, Pundland, Nether Beirdwall, Dempstertoun, Over and Nether Lagane, Over and Nether Dunscoir, Riddinis, Edgarstoun, Muliganstoun, Culroy, Ferdinnovallhill, with pertinents, lying within the parish and shire aforesaid, and the lands of Auchinchreiche, Brunskeith and Dargeuill in the parish of Drumfreis. Dated Linlithquhow, —— December [1585]. (f. 202.)

Precept of *Clare Constat,* in favour of John Kirkpatrick now of Alisland as heir of the deceased Thomas Kirkpatrick of Alisland, his father, in 24 s. 6 d. land, of which 6 s. 3 d. lands lie in Edzerstoun now occupied by Cuthbert Milligan, 6 s. 3 d. lands lie in McCubbinston now occupeid by Elizabeth Muirheid, 5 s. lands lie in Mauchanlistoun, Riddinnis, occupied by Cuthbert Fyt, and the 7 s. lands of Fardingwall occupied by Andrew Allan, with their pertinents, lying in said parish of Dunscoir, for the yearly payment of 40 s. 7 d. Dated Linlithqwhow, —— December 1585. (f. 203.)

Precept of *Clare Constat,* in favour of John Kirkpatrick now of Alisland as heir of the deceased Thomas Kirkpatrick of Alisland, his father, of the office of bailiary of the £36 lands of old extent of Dalgonar, Killilago, Breschewallay, Over and Nether Berduell, Dempstertoun, Over and Nether Lagane, Over and Nether Dunscoir, Riddinis, Edgarstoun, Amuliganstoun, Culroy, Ferdmanellhill with pertinents in the parish of Dunscoir, and of the lands of Auchincreiche, Brunskaithe and Dargauill in the parish of Drumfreis. Dated Linlithgow, —— December 1585. (f. 203.)

Charter to John Dunbar of Barmure of the mill of Millburn with the mill lands and multures of the lands of Barmure with the dam upon the loch of Lochlie, etc., also the half merk lands of Ridwrey now occupied by John Fleiming and Janet Reid in the bailiary of Kylestewart, which mill formerly belonged to William Hamiltoun of Sanquhar and was resigned by him in favour of the said John Dunbar, paying yearly for the said mill £10, and

for the half of Ridwrey 10 s., with duplication, etc. Dated Edinburgh, 1st February 1585. (f. 205.)

Charter confirming a charter by John Fogow in Grenoktoun, to his son, John Fogow, younger, of the 10 s. lands of Grenoktoun presently occupied by himself in the lordship of Kyllismuir, paying yearly 14 s. 10½ d., with duplication, service at courts and in the field, thirlage to the mills of Mauchline, etc. Dated Cumnok, 27th July 1585; witnesses, James Spotiswode in Holhous, James Gibsoun in Linnerhauche, Patrick Logan, David Borland and John Hodge, John Gemmell and Robert Johnstoun being notaries. The charter of confirmation is dated Edinburgh, 25th February 1585; witnesses, John Forrest, James Maistertoun and James Prymros. (f. 206.)

Charter to John Broderstanis, son of Robert Broderstanis, younger, burgess of Lauder, of the 44 s. 6 d. lands of Nether Blainslie with a quantity of land in rinrig and pertinents, which lands are bounded as formerly, and which formerly belonged to Robert Swinhous, son of the deceased George Swinhous and were resigned by him, paying yearly 48 s. 1 d., 6½ poultry, with three suits of court at the three head courts of the regality of Melrose, 2¼ carriages for the reparation of the church of Melrose and carrying fish or salt from North Berwick or Saltprestoun, etc., with duplication at the entry of heirs, and thirlage to the mill called Cumisle Mill or Langschaw Mill. Dated Edinburgh, 9th June 1586. (f. 207.)

Precept of *Clare Constat*, in favour of Agnes Patoun as heir of the deceased George Patoun in Lassuddene, her grandfather, in half of a husband land in Lassuddane, paying yearly 18 s. 6 d. etc. Dated Edinburgh and the monastery of Melrose, 3rd July 1586; witnesses, James Maistertoun, James Prymros, notary, and John Stewart. (f. 209.)

Charter to John Kennedy of Pennyglen of the 40 s. lands of Wester Smythistoun with the manor place, etc., in the lordship of Melrose, and earldom of Carrik, which formerly belonged to John Kennedy of Smythistoun, and

were resigned with consent of Margaret Cunningham, his spouse, paying yearly 40 s., and 13 s. 4 d. of augmentation, with duplication at the entry of heirs, service at courts, etc. Dated Edinburgh, 26th July 1586; witnesses, Mr. Henry Lewingstoun, brother of the Iconimus, Edward Mekiljhon, burgess of Edinburgh, James Maistertoun and James Prymros, notary. (f. 209.)

Charter to John Wode in Garrihorne of the 20 s. lands of Garrihorne now occupied by himself in the parish of Monkland and bailiary of Carrik, paying yearly 20 s., and 2 s. of augmentation, with duplication, etc. Dated Edinburgh and Melrose, 16th and 19th December 1586; witnesses, John Douglas, chamberlain of Melrose, Alexander Coluile and Thomas Lumisden, servitors to the Commendator. (f. 211.)

Charter to Walter Kennedy of Knokdone, Margaret Napier, his spouse, and James Kennedy, their son and heir apparent, in liferent and fee respectively, of the 24 s. lands of Little Knokdone presently occupied by the said Walter in the said parish of Monkland, paying yearly 24 s., and 2 s. of augmentation, with duplication at the entry of heirs, etc. Dated Edinburgh and Melrose, 16th and 19th December 1586; same witnesses, with John Quhitfurd, burgess of Irwing. (f. 212.)

Tack to Nicol Carncorse of Calfhill and Elizabeth Lauder, his spouse, and to an heir immediately succeeding them, for their lifetimes and nineteen years thereafter, of the teinds of their lands of Calfhill, paying yearly —— merks. Dated at ——, 15— (f. 213.)

Precept of *Clare Constat,* in favour of John Dikson in Blainslie as heir to the deceased Michael Dikson there, his father, in a husband land in the town of Blainslie on the south side thereof, and half a husband land there on the north side, now occupied by himself, between the lands of the Laird of Lauder on the north, the lands of the Commendator of Dryburgh on the east and south, and the lands of Melrose on the west, paying yearly 33 s. 4 d., and 4 s. of augmentation with five poultry and 1½ carriages in

Lothian, etc. Dated at the monastery of Melrose, —— 1586; witnesses, —— (f. 213.)

Precept of *Clare Constat*, in favour of Robert Jhonestoun in Blainslie as heir to the deceased Patrick Jhonestoun there, his father, in a husband land now occupied by himself in the town of Blainslie, paying yearly 22 s. 3 d. and 2 s. 8 d. of augmentation with 3½ poultry, one carriage in Lothian, etc. Dated at the monastery of Melrose, —— 1586; witnesses, ——. (f. 214.)

'Andro and James Howburnis letter of pensioun.

'Be it kend till all men be thir present letters Us James Commendator of Melrose and convent thairof with consent and assent of Alexander, Commendator of Culross, our Iconomus of the said abbay, for service done to us be our lovitt Patrik Howburne of Tulliboyll assisting Villiam Douglas of Lochtlewine our fadir in all and sindry actionis and causes concerning the weill of our said abbay, to haif gewine grantit and disponit and be the tennour heirof gewis granttis and disponis to Andro and James Howburnis sonnis laufull to the said Patrik ane yeirlie pensioun of the sowme of —— usuall money of this realme, to be yeirlie tane and upliftit be thame equallie and the langest lewar of thame tua during thair liftymis off the reddiest teindis fruittis maillis fermis and deweteis of the said abbaycie at tua termis in the yeir Vitsonday and Mertimes in winter be equall portionis begynnand the first payment thairof at the feist of —— in the yeir of God j^{m}v^{c} —— and swa furth to indure during the said space; and for the mair suir payment to thame of the samyn hes assignit and be thir presents assignis to thame the maillis fermis and teindis of the landis of —— liand within the parochine of Melrose and schirefdome of Roxbruch pertening to our said abbay as ane pairt of the patrimony and propirtie thairof to be yeirlie tane and upliftit be thame and the langest lewar of thame tua during the said space, and be thir presents makis and constituttis the saidis Andro and James our chalmerlanis of the said abbaycie for collectinge resaving and uptaking

of the maillis fermis teindis and deweties off the saidis landis for payment of the said pensioun, with power to thame to intromitt thairwith and giff dischargis thairupon, quhilkis salbe as sufficient to the ressaveris as and thai ver maid and gewine be our selff; and be thir presents commandis and chargis the tennentis and possessouris of the saidis landis to ansuer and obey thame of the samyn, and dischargis all utheris our chalmerlanis present and to cum off intromitting with the saidis maillis fermis and teindis assignit as said is and molesting and trubling of the tennenttis and possessouris of the saidis landis thairfor and of thair offices in that part; and consenttis and is content that the Lordis of Consale grant and direct letters heirupoun to cause the saidis Andro and James and thair factouris be ansuerit of the samin in forme as effeiris. In witnes heiroff to thir our letters of gift and assignatioun subscryvit with our handis the commoun saill of our abbay is to hounge, at Edinburgh the penult day of October the yeir of God j^{m}v^{c}lx fourteine yeiris, befor thir witness, David Wrycht of Langsyd, Mr. William Henrysone, and Henry Baverage, notter publict.' (f. 220.)

Letter of Pension to James Drisdaill (servant to the Commendator of Melrose), who since his minority has served in the said Abbey, of a yearly pension of £40 for his lifetime out of the lands of the Abbey. Dated Edinburgh, 2nd February 1574; witnesses, Gavene Douglass, Peter Douglass, Alexander Baverage, James Dempstertoun and Henry Baverage, notary. (f. 220.)

Letter of Pension for the good service done by Gavin Douglas in assisting William Douglas of Lochlevin, the Commendator's father, in the affairs of the Abbey, to William and Henry Douglas, lawful sons of the said Gavin Douglas, of a yearly pension of £40 between them for their lifetime and to the survivor, to be uplifted from the lands of —— in the parish of —— and lordship of Melrose. Dated Edinburgh, 4th February 1574; witnesses, Peter Douglas, James Drisdaill, Alexander Baverage, Mr. Robert Coluill and Henry Baverage, notary. (f. 221.)

[*Note.*—From this point the Deeds are granted by James Commendator of Melrose alone.]

Tack to Nicol Carncorce of Calfhill, of the teinds of the lands of Eildoun for nineteen years, paying yearly £10. Dated at the Abbey, 27th December 1586; witnesses, —— (f. 221.)

Disposition to Robert Carncroce, brother natural to Nicol Carncorce of Calfhill, of the yearly pension of 50 merks out of the rents of the Abbey, from the lands of Maxpopill and Calfhill yielding 20 merks, the lands of Housbyre 16 merks, and the lands of Alanschaws 10 merks, and the teinds of Calfhill 4 merks. Dated at the Abbey, 27th December 1586. (f. 222.)

Charter to Walter Ker of Litildane of a carucate or fourth part of Alvardane with mansion and garden thereof called the Plewland, with croft and pertinents in Maxtoun and privileges and other easements belonging both to the town of Newtoun and the town of Maxtoun, lying in the barony of Maxtoun; also the lands of Cammestoun in the lordship of Melrose now occupied by the said Walter Ker and his tenants, all which lands formerly belonged to Alexander Balfour of Denemill and were resigned by him in favour of the said Walter Ker, paying yearly for Alwarden, etc., £5, and 20 d. of augmentation, and for Cammestoun £5, and 20 d. of augmentation, with duplication at the entry of heirs, etc. Dated Edinburgh, 18th February 1586; witnesses, John Murray of Blakbarony, Mr. Oliver Colt, advocate, John Drummond, son of Sir Robert Drummond of Carnok, and Sir Alexander Jardine of Apilgirth. (f. 223.)

Precept of *Clare Constat,* in favour of Andrew Richertsone as heir of the deceased John Richertsone, his father, in the half of a husband land in Lessuden occupied by the said Andrew Richertsone, paying yearly 18 s. 6 d. Dated Melrose, —— March 1586; witnesses, ——. (f. 224.)

Precept of *Clare Constat,* in favour of James Gaustoun as heir of the deceased David Gaustoun, his father, of

1¼ husband lands with pertinents in Lessudden, occupied by the said James Gaustoun, paying yearly 46 s. 3 d. Dated Melrose, —— March 1586; witnesses, etc. (f. 224.)

Precept of *Clare Constat,* in favour of Michael Gibsone, son of David Gibsone, in half a husband land with pertinents in Lessudden occupied by the said Michael Gibsone, paying yearly 18 s. 6 d. Dated —— March 1586; witnesses, ——. (f. 225.)

Precept narrating that John Kyle in Lessudden, *alias* Joke Laid Kyle, had resigned in favour of his son, James Kyle, the half husband land with pertinents in Lessudden occupied by him, and ordaining sasine to be given in favour of the said James Kyle, his son. Dated Melrose, —— March 1586; witnesses, —— (f. 225.)

Charter confirming a charter by John Merser, son and heir of the deceased Alexander Merser in Newsteid, to Bernard Merser in Newsteid of an acre of arable land with pertinents lying in rindaill in the town of Newsteid, with the teinds, paying yearly 7 s. 4 d. and the sum of 30 d. in the first year of the entry of heirs thereto, etc. Dated Melrose, 10th July 1569; witnesses, David Mein in Newsteid, John Scot in Melrose, William Brydin, younger, writer in Selkirk, and John Brydin, notary. The charter of confirmation is dated Melrose, 12th March 1586; witnesses, Nicol Carncross of Calfhill, John Douglas, chamberlain, Mr. John Knox, minister of Melrose, and John Scot, notary. (f. 225.)

Precept of *Clare Constat,* in favour of Thomas Trotter in Ridpeth as heir of the deceased Peter Trotter, his father, in 1½ husband lands in the town and territory of Ridpeth, now occupied by the said Tnomas Trotter, paying yearly 30 s. Dated 12th March 1586; witnesses, John Douglas, chamberlain, Mr. John Knox, minister at Melrose, and John (Scot) notary. (f. 226.)

Charter confirming a charter by William Jamesone in Lessuddane, whereby, with consent of Alison Gaustoun his wife, he grants to John Jamesone in Lessuddane, his

cousin, his ¾ of a husbandland in Lessuddane, paying yearly 27 s. 9 d., with duplication at the entry of heirs. Dated Lessuddane, 18th July 1581; witnesses, Mungo Gibsone in Lessuddane, Mungo Liddell, Michael Gibsone and William Lyle, William Brydin, notary. The charter of confirmation is dated —— March 1586; witnesses, ——. (f. 227.)

Precept of *Clare Constat*, in favour of John Jamesone in Lessuddane as heir to the deceased Walter Jamesone, his father, in half a husband land in Lessuddane occupied by the said John Jamesone, paying yearly 18 s. 6 d. Dated —— March 1586; witnesses, ——. (f. 228.)

Precept of *Clare Constat*, in favour of John Thorbrand in Lessuddane as heir of the deceased Nicolas Thorbrand, his grandfather, in half of a husband land in Lessuddane now occupied by the said John Thorbrand, paying yearly 18 s. 6 d. Dated —— March 1586; witnesses, ——. (f. 228.)

Precept of *Clare Constat*, in favour of John Patoun in Lessuddane as heir to the deceased Andrew Patoun, his father, in the fourth part of a husband land in Lessuddane now occupied by the said John Patoun, paying yearly 9 s. 3 d. Dated —— March 1586; witnesses, ——. (f. 228.)

Precept of *Clare Constat*, in favour of John Muter in Lessuddane, as heir to the deceased David Muter, his father, in half of a husband land in Lessuddane now occupied by the said John Muter, paying yearly 18 s. 6 d. Dated —— March, 1586; witnesses, ——. (f. 229.)

Precept of *Clare Constat*, in favour of Mungo Riddell as heir to the deceased John Riddell, his father, in half of a husbandland in Lessuddane now occupied by the said Mungo Riddell, paying yearly 18 s. 6 d. Dated —— March 1586; witnesses, ——. (f. 229.)

Precept of *Clare Constat*, in favour of William Coit as heir of the deceased John Coit, in half of a husband land in Lessuddane now occupied by the said William Coit, paying yearly 18 s. 6 d. Dated at Melrose, —— 1586; witnesses, William Carnecross of Colmeslie, John Hoppringill of Bukholm and George Hoppringle in Quhytbank. (f. 229.)

Precept of *Clare Constat,* in favour of John Kyle as heir of the deceased Thomas Kyle, his father, in a husband land in Lessuddane, paying yearly 37 s. Dated —— March 1586; witnesses, ——. (f. 230.)

Precept of *Clare Constat,* in favour of the deceased Thomas Spens in Lessuddane in half a husband land in Lessuddane now occupied by the said James, paying yearly 18 s. 6 d. Dated, —— March 1586; witnesses, ——. (f. 230.)

Precept of *Clare Constat,* in favour of James Coit as heir of the deceased James Coit, his father, in the fourth part of a husband land in Lessuddane now occupied by the said James Coit, paying yearly 9 s. 3 d. Dated —— March 1586; witnesses, ——. (f. 231.)

Precept of *Clare Constat,* in favour of John Thorbrand in Lessuddane as heir of the deceased William Thorbrand, his father, in the half of a husband land in Lessuddane, paying yearly 18 s. 6 d. Dated —— March 1586; witnesses, ——. (f. 231.)

Tack to Thomas Hoy, feuar and kindly tenant of Colmeslehill, of the teind sheaves of the said lands for nineteen years, paying yearly £5. Dated Edinburgh, 5th May 1587; witnesses, John Douglas of Cuneistoun, Alexander Colvein, servitor to the Earl, and Thomas Scot, notary in Melrose. (f. 231.)

Letter of Tack to Mr. John Kox.

'Be it kend till all men be thir present letters Us James be the permissione off God Commendatour off the abbay of Melrose, with consent and assent off the convent thairof, our profeit and utilitie always foirsene, and the speciall love and favour quhilk we beir to our lovit Maister Jhone Knox, minister at Melrose, with sindre utheris considerationeis moveing us thairto, to have settin and for maill lattin and be the tennour off this presents settis and for maill lattis to the said Mr. Jhone his airis and assignais quhatsumever of no hiear degre nor him selff, all and haill the chalmer and the gairdene with the pertenentis presentlie occupyit be the said Mr. Jhone liand within the mantill

wall of Melrose maircheit and meithit as followis, viz. the kirk and kirkyaird one the southt syd thairof, ane dik betuix the said gairdeine and Dene Jhone Watsones roume with ane dyk linalie dividing in tua halffis the fermorie to the comoun foir entre one the eist, and ane dik newlie bigit be the said Mr. Jhone one the northe, and the auld ruinus wallis one the east syd of the closter one the vest syd, incluiding the said wallis, reserving the stanes thairoff to our use, lyand as said is within the mantill wall of the said abbay, l[ordschip] and regalite of the same, and schirefdome of Roxburght, for all the dayis termes and yeiris of nyntene yeiris nixt and immediatle following his entre thairto, quhilk salbe and begin at the day and dait of thir presents and frathinfurth to induire and to be peciable bruikit joisit labourit and manurit be the said Mr. Jhone and his foirsaidis till the full and compleit ische and outrynning of the saidis nyntene yeiris, with fre ische and entre and with all uther aisiamentis profeitis and commoditeis perteining or that rychtteouslie is knawin to pertene thairto quietle weall and in peax but ony impediment obstacle or aganecalling quhatsumever, payand thairfoir yeirlie the said Mr. Jhone his airis or assignais foirsaid to us our successouris chalmerlaines or utheris in our name the soume of sax schilling aucht pennyis money usuall of this realme at tua termes in the yeir Witsonday and Mertimes in winter be equall portions alanerlie. And we forsuith and our successouris abbottis of our said abbay this our present tak and assedatioun of all and haill the chalmer and gairdein foirsaid with the pertenentis boundit and limitat as said is to the said Mr. Jhone and his foirsaidis in all and be all thingis as is abone specefeit duiring the said space of nyntene yeiris sall warrand acquit and defend aganes all deidle as law will but fraud or gile. In witness of the quihilk thing to this our present letter of tak subscriveit with our hand our commoun seall is appendit, at Melrose the secund day of July 1587, befoir thir witness, William Cairncorse of Colmeslie, Dene Jhone Watsone, pentionar of Melrose, Alexander Colwill our servitour, with utheris diverse.'

Charter to Gavin Notman in Moshouses, in liferent, and John Notman, his elder [*sic*] son, and his heirs and assignees heritably of the lands of Abbotispark, Chattow Medow and Coutley with pertinents and teinds and a small pendicle called the Little Medow within the mantill wall (*murum circuatum*), paying yearly 20 s., and 16 d. of augmentation, with duplication at the entry of heirs, etc. Dated Edinburgh and Melrose, 6th and 10th July 1587; witnesses, John Douglas of Kenestoun, Mr. William Henrysone, Alexander Colwill and Peter Darling in Apiltreleues. (f. 232.)

Precept of *Clare Constat,* in favour of Barnard Mein in Newsteid as heir of his father, the deceased Robert Mein, in 10½ acres of the lands of Coit in the town of Newsteid, paying yearly 8 bolls and 2 pecks of barley or 8 s. for each boll, etc. Dated Melrose, 8th April 158 —; witnesses, John Watsoun, John Scot, notary, and Abraham Watsoun. (f. 233.)

[*Note.*—No dates are given in the succeeding writs (ff. 234-237 inclusive).]

Note of Charter confirming a charter by John Middilmaist in Melrose, of four acres of land with the teinds in Newsteid, also an infeftment by Andrew Huwden in Mosele of two acres of land with pertinents to George Mein, lawful son of Robert Mein in Newsteid, to be held in feufarm, reserving the liferent of Janet Middilmaist, mother of the said George. The charter of confirmation is dated ——. (f. 233.)

Note of Precept of *Clare Constat,* in favour of Mungo Thomsoun as heir to his father, the deceased Thomas Thomsoun, in eight acres of the lands of Newsteid, paying yearly 6 bolls and 2 firlots of barley. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Thomas Layng as heir to his father, the deceased Bartholomew Layng, in two acres of the lands of Newsteid, paying yearly 6 firlots and 2 pecks of barley. (f. 234.)

Note of Precept of *Clare Constat,* in favour of William

Mein, elder in Newsteid, as heir of —— in 8 acres of the lands of Newsteid, paying yearly 6 bolls 2 firlots of barley or 8 s. for each boll. (f. 234.)

Note of Precept of *Clare Constat,* in favour of John Thomeson as heir of the deceased John Thomesoun, his grandfather, in 8 acres of the lands of Newsteid and half an acre called Heulabuttis, paying for the former 6 bolls, 2 firlots oats and for the latter 16 s. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Richard Coit in Newsteid as heir of the deceased John Coit, his father, in two acres of land, paying yearly 6 firlots and two pecks of barley. (f. 234.)

Note of Precept of *Clare Constat,* in favour of James Mein in Newsteid as heir of the deceased Richard Mein, his father, in 6 acres of the lands of Newsteid, paying yearly 4 bolls 3 firlots and 2 pecks of barley or 8 s. for each boll. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Mathew Mein in Newsteid, as heir of the deceased Andrew Mein, his father, in 10 acres of land, also the Plumerland in the town of Newsteid, paying yearly 8 bolls and 2 pecks barley, and for the Plumberland one boll of barley, or 8 s. for every boll. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Ralph Sclaitter as heir to his deceased father Robert Sclaitter, in Newsteid, in 10 acres of land with the Quheityairds and 3 acres in Langmedow, also the Serjand but, for payment of 8 bolls 2 firlots barley, for the 10 acres 3 bolls barley, for the Quheityaird 6 pecks oatmeal, and 6 firlots of barley for the Langmedow, one boll of barley for the Serjand but, or 8 s. for each boll of barley. (f. 234.)

Note of Precept of *Clare Constat,* in favour of John Wair in Newsteid as heir of the deceased John Wair, his grandfather, in six acres of the lands of Newsteid. The said John Wair, younger, also presented a charter of alienation by Alexander Merser in Newsteid of two acres of land. The yearly payment for the 8 acres is 8 bolls 2 pecks of barley or 8 s. for each boll. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Alexander Merser in Newsteid as heir of the deceased Thomas Merser, his father, in 10 acres of the lands of Newsteid, paying yearly 8 bolls and 2 pecks of barley, or 8 s. for each boll. (f. 234.)

Note of Precept of *Clare Constat,* in favour of Bartholomew Maben in Newsteid as heir of the deceased James Maben, his father, in 8 acres of the lands of Newsteid, paying yearly 8 bolls 2 pecks barley or 8 s. for each boll with carriages used and wont, etc. (f. 234.)

Note of Charter confirming a sasine by Andrew Hawden in Mosele to John Mein in Newsteid, of 2 acres in Newsteid, the sasine being subscribed by Alexander Young, notary. (f. 234.)

Note of Charter confirming an infeftment, dated 14th February 1608 by William Mein, elder, in Newsteid, to John Mein, his son, of 2 acres of land in Newsteid, sasine being given by John Brydin, notary. (f. 235.)

Note of Charter confirming a charter by Alexander Fischer in Newsteid to Isabella Rutherfurd there, and Robert Robsone, her son, of 10 acres of Newsteid. (f. 235.)

Note of Charter confirming charters by Andrew Bowstoun in Melrose of the lands of Wolmedow and Tuepmedow in Newsteid, and by Robert Cummein of two acres of land, to Alexander Trotter in Newsteid; payment for Wolmedow and Tuipmedow, 22 s. yearly. (f. 235.)

Note of Charter confirming a charter by Alexander Fischer in Newsteid to George Trotter in Caldstrame, of 4 acres of Newsteid renounced by William Puirsone on 20th February 1569, for yearly payment of 14 s. 7 d. with carriages, etc. (f. 235.)

Note of Charter confirming a charter by John Gibsone of Netherwod to John Gibsone, younger, his son, of the 22 s. 6 d. lands of Netherwod and the 5 s. lands of Netherwod, paying yearly 41 s. 4 d. (f. 235.)

Note of Charter confirming charters by John Watsoun,

son and heir of Thomas Watsoun in Melrose, of a tenement at the west side of Melrose, and by Janet Wallace, sister uterine of Thomas Wallace in Melrose, of an acre of land in the Querrelhill to Adam Linlythgow in Melrose. (f. 236.)

Note of Precept of *Clare Constat*, in favour of George Donaldsone in Melrose, as heir of the deceased George Donaldsone, his grandfather, in a tenement in Melrose. (f. 236.)

Note of Precept of *Clare Constat*, in favour of Andrew Davidsone, as heir of the deceased Thomas Davidsone, his grandfather, in Melrose, in 2 tenements and 2 acres of land etc., for payment of 40 s. etc. (f. 236.)

Charter confirming a Disposition by Isabella Congiltoun to Walter Eleis in Danzeltoun of all her right and kindness to her tenement of land, etc. (f. 236.)

Note of Charter confirming a charter by John Watsoun to William Edzar of a tenement and acre of land, paying yearly 20 s. (f. 236.)

Precept of *Clare Constat*, in favour of Robert Maben as heir of his grandfather, Thomas Maben, in Melrose, in a tenement and acre of land and part of the Wairds, paying yearly 20 s. (f. 236.)

Note of Precept of *Clare Constat*, in favour of John Wallace in Melrose as heir of the deceased John Wallace, his grandfather, in a tenement and acre of land there, paying yearly 20 s. (f. 236.)

Note of Precept of *Clare Constat*, in favour of Peter Forret in Melrose as heir of the deceased Nicolas Forret, his father, in a tenement and acre of land, paying yearly 20 s. (f. 236.)

Note of Charter confirming a resignation made by Andrew Boustoun in Melrose to George Hedingtoun of a tenement (in Melrose), the instrument being signed by William Brydin, notary. (f. 236.)

Note of Precept of *Clare Constat*, in favour of Barnald Berkar in Melrose as heir of the deceased Agnes Douglas,

his mother, in a tenement and acre of land in Melrose, paying yearly 20 s. (f. 236.)

Note of Precept of *Clare Constat,* in favour of Robert Wallace in Melrose as heir of the deceased Robert Wallace, his grandfather, in a tenement and rood and acre of land of the Quarrelhill and 6 acres of the lands of Newsteid and a piece of land called the Monkland, paying yearly for the tenement 20 s., for the 6 acres 3 bolls of barley or 8 s. for each boll, and for the Monkland 27 s., with carriages, etc. (f. 237.)

Note of Charter confirming a charter by Alexander Campbell of Borquhilling to Mungo Reid of Drumfork of the 17 s. 4 d. lands of Over Logane, paying yearly 25 s. 4 d. (f. 237.)

Note of Precept of *Clare Constat,* in favour of Alexander Broderstanes as heir of the deceased John Broderstanes, younger, his father, in the 44 s. 6 d. lands of Nether Blainslie, paying yearly 48 s. 1 d. and 6½ poultry, etc. (f. 237.)

Note of Precept of *Clare Constat,* in favour of John Wilsone as heir to the deceased John Wilsone of Barquhois of the 8 s. 4 d. lands of Barquhois, paying yearly 12 s. 6 d. (f. 237.)

Note of Tack to Andrew Ker of Newhall of the teinds of Gaitschaw, Burnvane, Deinbra, South Coit, Hownamgrange, and others, for his lifetime and that of his heir and two nineteen years thereafter, paying yearly £3; dated 27th November 1588. (f. 237.)

Note of Charter by James Douglas, Lord of Melrose, with consent of Dame Mary Ker, his spouse, to William Quhit in Colstone. (Incomplete.) (f. 237.)

Note of Precept of *Clare Constat,* in favour of Patrick Haitlie as heir of the deceased Patrick Haitlie in Clerkleyis, his father, in the 18 s. lands of Clerkleyis in the lordship of Melrose, paying yearly 18 s. Dated —— 1589. (f. 237.)

Note of Precept of *Clare Constat,* in favour of Martin Douglas as heir of the deceased William Douglas, his father, in the 40 s. lands of Cruik. Dated Melrose, 16th November 1592. (f. 237.)

Note of Disposition to Martein Douglas of the Cruik, of the maills of the Cruik extending to 40 s. and 7 merks, and of the kirk lands of Hassindane and Caveris for his lifetime. Dated Melrose, 16th November 1592. (f. 238.)

Tack to Peter Moffett etc., same as on p. . (f. 28.)

Note of Tack to the same persons for their lifetimes, and after their death to their heirs for nineteen years as is contained in the said tack. (f. 238.)

Precept of *Clare Constat,* in favour of Agnes, Helen and Marion Clerk as heirs to the deceased William Clerk in Blainslie, their brother, in two husband lands of the lands of Blainslie, paying yearly 49 s. 10 d., with carriages, etc. Dated Edinburgh, — April 1593. (f. 239.)

Tack to Peter Darling, Andrew Darling and Philip Darling in Apiltreleueis for their lifetimes and that of an heir succeeding them and nineteen years thereafter, of the small teinds of the lands of Apiltreleueis and Langhauch which is a pendicle thereof in the parish of Melrose, paying yearly 30 s. Dated Edinburgh, —— June 1593. (f. 239.)

Tack to Robert Scot of Thirlstane for his lifetime and to Robert Scot, his eldest son and heir, for his lifetime, and to the heir of the said Robert Scott, younger, for his lifetime, and three periods of nineteen years thereafter, of the kirk of Ettrik called the New Kirk of Ettrik, with the teinds parsonage and vicarage thereof, in the lordship of Melrose and shire of Selkirk, for the yearly payment of 10 merks. Dated Edinburgh, 7th December 1594; witnesses, Archibald Douglas, younger, of Quhittinghame, Mr. Richard, his brother, Mr. William Cranstoun, younger of that Ilk, James Douglas and Thomas Hall, servitors to the Commendator. (f. 239.)

CHARTULARY OF MELROSE 1547-1593

[*Note.*—The grants in this volume of MSS. are by the Commendator of Melrose, except when otherwise stated.]

Charter to Stephen Hunter of five merklands of the lands of Nether Blainslie lying in rinrig occupied by the said Stephen and his sub-tenants together with two pendicles of the said lands of Braidwodsheill and Braidwodheid called Hous of Hill; which lands and town of Blainslie Nether are bounded as follows: On the west beginning at the Moss burne and thence ascending and extending eastwards to the hollit carne and thence ascending and extending eastwards to the standand stane in Routhrig and thence descending and extending eastwards to the merche dyke or Monkes dyk and thence extending northwards to the Chappell wallis of Cheildhelles[1] Chaippell walles and thence extending and descending by the Mylsey burne and thence extending southwards and ascending to that cross called Hellscroce and thence extending and ascending southwards to another cross called the Hie croce and thence extending and descending southwards to that part of the burn called Helburnisfurde and thence extending and descending by the said burn eastwards to the lands called Wilkynnishauch and thence extending and descending southwards to the auld watergang of Midstreame of Leader and thence extending and descending southwards by the said midstreame thereof to the merches called the Erlis aker and thence extending and ascending westwards by the burn called Hawikischeilburne to the loch called the Overloch and thence extending and ascending westwards to the 'common mercat gait' and thence extending and descending westwards to a place called the Willibuss at the auld dyke in Windelawcruik and thence extending and ascending northwards by the burn called the Blakburne and the blakfurde thereof and thence extending and ascending northwards to the middle of the Helmoss

[1] See footnote page 283. The word on this occasion appears to be 'Cheild helles,' but is probably a blunder of the writer.

and thence extending and descending northwards through the middle of the Helmoss to the burn called the Mosburn, lying in the lordship of Melrose and within the shire of Roxburgh, between the lands of the forest of Lauder on the north, the lands of the monastery of Dryburgh on the south, the lands of the Laird of Haltoun called Quhytsled, the lands of the said monastery of Dryburgh, and the lands of Kirkinsyd, on the east, and the lands of the monastery of Melrose called Cwmmisliehill and Threipwodeschaw on the west; and which five merklands pay the sum of five merks, ten poultry, three carriages and the third part of a carriage yearly to us in rental, while the pendicles of Braidwodsheill and Braidwodheid called Hous of Hill pay the sum of two merks yearly: Holding the said subjects of us and our successors in feufarm for yearly payment for the said five merk lands of the sum of five merks, ten poultry, three suits of court, and three carriages and the third part of carriage for bringing lime to repair the fabric of Melrose and bringing fish from North Berwick, Saltpreston, or the neighbourhood for support of the convent and household, with 5 s. 4 d. of augmentation; and for the pendicles of Braidwodsheill and Braidwodheidhous two merks with 3 s. of augmentation; with duplication at the entry of heirs and clause astricting the lands to Cummislie mill or otherwise Langshaw mill. Dated at our monastery 6th April 1547. *Sic subscribitur,* James, Commendator of Kelso and Melrose; Thomas Merser; John Watsoune; John Hogatt; William Philp; Bernard Bowstoun; John Primrois;[1] David Hoppringill; Mungo Weymes; Richard Patersoun, subprior,[2] Richard Chatto; Thomas Wricht and Robert Liddell. [*In margin*] This charter is confirmed by the Pope on 15th July 1550.

(f. 1.)

Precept of Sasine following thereupon directed to John Spottiswode, dated and subscribed as above. (f. 2.)

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[1] 'Sonnerrois' in following precept. Intended for Fourrois.

[2] This word is almost always contracted as 'superiour' and occasionally written so, in full, but is apparently intended for subprior (supprior).

Instrument of Sasine, dated 18th April 1547, given by the said John Spottiswode to the said Stephen Hunter in the foresaid subjects; witnesses, George Hoppringill in the Spittell, William Lawder there, Thomas Hunter, younger, George Davisoun in Blainslie, John Cairter, Thomas Hunter and Sir John How, notary public. Robert Wedderat, clerk of the diocese of St. Andrews and notary public, appends his docquet. (f. 3.)

Precept of *Clare Constat,* narrating that it has been clearly shown that the deceased Stephen Hunter of Williamelaw died last infeft in five merks of the town and lands of Blainslie Nether lying rinrig and two pendicles thereof called Braidwodscheill and Braidwodheid called Hous of Hill, and that Robert Hunter, his son, is nearest heir to him therein, therefore appointing Gavin Notman to infeft the said Robert Hunter in the said subjects. Dated Edinburgh, 13th August 1573; witnesses, Mr. Robert Colvill, Alexander Costoun, Robert Stewart and others. (f. 4.)

Instrument of Sasine, dated 17th July 1575, following on the above precept; witnesses, John Hunter of Halkburne, William Hall in Over Blainslie, George Suynhouse, Sir William Gibson and James Swynhous there. John Brydden, clerk of the diocese of Glasgow, is notary. (f. 4.)

Precept of *Clare Constat,* directing Thomas Meggat of Maistertoun to infeft William Hunter as heir to his father the deceased Robert Hunter of Williamelaw in the five merklands of Blainslie Nether and pendicles aforesaid. Dated Edinburgh, 12th February 1581-82; witnesses, Archibald Dundas, James Dundas, James Prymrose and Robert Burrell, servitors to the Iconimus. (f. 5.)

Instrument of Sasine dated 22nd May 1582 in favour of the said William Hunter of the said subjects; witnesses, Robert Dowglas, son of William Dowglas in Bonjedward, Michael Diksoun in Nether Blainslie, Charles Hoppringill, John Stirling, Gavin Gardinar, and Thomas Gray there. Robert Alensone is notary. (f. 6.)

Williamlaw

Tack to William Hunter of Williamelaw and Barbara Cairncrose, his future spouse, and to their heirs for nineteen years after the death of the survivor, of the teinds of the lands of Williamlaw, in the lordship of Melrose and shire of Roxburgh, for the yearly payment of ten merks. Dated Melrose, 7th October 1588; witnesses, Mr. John Knox, minister at Melrose, and John Scot, notary. Signed by the Commendator and Dean John Watsoune, 'onlie Convent.' (f. 7.)

Charter by the Commendator, as feuar of Williamlaw, with consent of William, Earl of Mortoun, his father, at whose instance he is interdicted, whereby he grants to William Hunter and Barbara Cairncrose, his spouse, and their lawful heirs, whom failing, the heirs and assignees of the said William Hunter, his lands of Williamlaw presently occupied by the said William Hunter, paying yearly £5 10 s. with duplication. The charter contains precept of sasine directed to Robert Cairnecorce in Calffhill, and is dated Edinburgh, 30th May 1589; witnesses, David Brysoun and Robert Stewart, macers, and Mr. Patrick Murray. (f. 8.)

Instrument of Sasine following thereon, dated 28th July 1589, given by Robert Cairncorce in Calfhill; witnesses, Nicol Cairncorce, younger of Calfhill, William Lawder, brother german of Robert Lawder of that Ilk, James Watsone in Williamlaw and George Blaikie there. Alexander Wilkieson and John Scot, clerk of the diocese of Glasgow, are notaries. (f. 9.)

Threipwode

Charter by James Douglas, Lord of Melrose, and feuar of the town and lands of Threipwode, narrating that the deceased John Bannateine in Threipwod, father of William Bannatyne there, and their predecessors were native and old possessors of the seventh part of the $\frac{3}{4}$ of the town and lands of Threipwod, with the teinds, and desiring to do nothing to lessen their right thereto, for the faithful and

thankful service done to him by the said William Bannatyne and for certain sums of money paid by him, the said James Douglas, Lord of Melrose, grants to the said William Bannatyne and his heirs and assignees the said seventh part of the ¾ of the lands of Threipwod with the teinds, to be held of the granter, paying yearly five merks 2 s. with one long carriage and 40 loads of turf as the old duty, also 8 s. 4 d. in augmentation, with five merks 2 s. at the entry of each heir as duplication, and service at courts. There is prohibition to alienate the lands without the consent of the granter save to another kindly tenant of the town of Threipwode or dwelling on the granter's lands. Dated Edinburgh, 31st March 1589; witnesses, Nicolas Cairncorce of Calfhill, Robert and George Cairncorce, his servitors, and Patrick Schaw and Thomas Lumsdaill, servitors to the granter.

(f. 13.)

Instrument of Sasine following thereupon, dated 1st April 1589, given by Alexander Moffat in Threipwood as bailie; witnesses, John Williamsone in Newhouse, George Hall in Threipwod, John Moffat, Sir William Moffat, Thomas Williamsoune, William Bannatyne, and James Moffat there. Andrew Mudie, writer of the sheriffdom of Kinrosshire, clerk of the diocese of St. Andrews, is notary.

(f. 15.)

Charter narrating that John Moffat, younger, and his predecessors have been old and native possessors of the seventh part of the ¾ of the town and lands of Threipwod, and confirming the same to him and his heirs and assignees, paying yearly five merks 2 s. with one long carriage and 40 loads of turf, also 8 s. 4 d. of augmentation, and five merks 2 s. at the entry of each heir as duplication, with service at courts etc. Dated Edinburgh, 31st March 1589; witnesses as in the last charter. (f. 16.)

Instrument of Sasine following thereupon, dated April 1589, given by Alexander Moffat in Threipwod as bailie; witnesses and notary as in the last instrument of sasine.

(f. 18.)

Charter narrating that the deceased Thomas Rommanos in Newhouse of Threipwod, father of William Romanos there, were ancient and native possessors of the eighth part of the town and lands of Threipwod, and confirming to the said William Rommanose the said eighth part of the town and lands of Threipwod which he and his father occupied, with the teinds, paying yearly six merks as the old rent, with 10 s. of augmentation, with 50 loads of peats and six merks at entry of heirs as duplication, and services as required. Dated Edinburgh, 9th March 1589; witnesses as in the two last charters. (f. 18.)

Instrument of Sasine following thereupon, dated 1st April 1589, given by Alexander Moffat in Threipwode; witnesses and notary as in the preceding sasine. (f. 20.)

Charter narrating that Peter Moffatt in Threipwod and his predecessors were ancient and native possessors of the seventh part of the ¾ of the town and lands of Threipwode, and confirming to him for his faithful and thankful service the said seventh part of the ¾ of the lands of Threipwod with the teinds, paying yearly five merks and 2 s., one long carriage and 40 loads of peats as the old duty, with 8 s. 4 d. in augmentation, and five merks 2 s., as duplication at entry of heirs, with service as required. Dated Edinburgh, 31st March 1589; witnesses as in the preceding charter. (f. 21.)

Instrument of Sasine following thereupon, dated 1st April 1589, given by Alexander Moffat in Threipwod; witnesses and notary as in the preceding sasines. (f. 23.)

Charter narrating that John Moffat, elder, and his predecessors had been ancient and native possessors of a seventh part of the ¾ of the town and lands of Threipwod, with the teinds, and confirming the same to him and his heirs and successors, paying yearly five merks 2 s. with 40 loads of peats as the old rent, with 8 s. 4 d. in augmentation, and five merks 2 s. at the entry of heirs as duplication, with services as required. Dated Edinburgh, 31st March 1589; witnesses as in the previous charters. (f. 23.)

Instrument of Sasine following thereupon, dated 1st April 1589, given by Alexander Moffat in Threipwod as bailie; witnesses and notary as in the previous sasines. (f. 25.)

Charter narrating that the deceased Leonard Moffat in Threipwod and Isabella Hall, his spouse, and the predecessors of the said Leonard Moffat were ancient and native possessors of a seventh part of the ¾ of the town and lands of Threipwod, with the teinds, and that John Moffat, their grandson, is lawfully infeft in the same, wherefore in terms of a contract between him and the said Isabell Hall and her grandson, the Commendator confirms to her in liferent and to her grandson, his heirs and assignees, the foresaid seventh part of the ¾ of the town and lands of Threipwod, with the teinds, paying yearly five merks 2 s., one long carriage and 40 loads of peats as the old rent, with 8 s. 4 d. in augmentation, and five merks 2 s. at entry of heirs as duplication, with services as required, as they were in use to render to the Abbot and convent of Melrose in times past. Dated Edinburgh, 31st March 1589; witnesses as in the preceding charters. (f. 25.)

Instrument of Sasine following thereupon, and dated 1st April 1589, given by Alexander Moffat in Threipwod as bailie; witnesses and notary as in the preceding sasines. (f. 27.)

Note. All these charters abovewritten of the lands of Threipwod are confirmed together and contained in a confirmation by the King, dated 4th April 1594. (f. 28.)

Tack to Peter Moffot, William Bannateine, John Moffat, younger, John Moffat, elder, Thomas Moffat, Adam Hall, and George Hay, equally heritable feuars of the ¾ of the room and steading of Threipwod, and to William Romanose John Williamsone and George Romanose, feuars of the fourth quarter of the said lands of Threipwod called the Newhous for their lifetimes respectively, and after their death to the nearest and lawful heir of each of them respectively for nineteen years, of the small teinds of the said lands of Threipwod, namely teind wool, teind lamb, teind hemp, teind lint, teind goose, teind grice, teind stirk,

teind staig, teind hay, and all other teinds pertaining to the vicarage of Melrose from the said lands of Threipwod, each feuar of the $\frac{3}{4}$ of the said lands of Threipwod paying yearly 3 s. 7 d., and the feuars of the Newhouse, namely, William Romanose, 33 d., John Williamson, 33 d., and George Romanose 34 d. Dated Dalkeithe, 23rd August 1592; witnesses, Patrick Cranston, James Philp and George Schaw, servitors to the Commendator. Signed by the Commendator and by John Watsoun, 'onlie Convent.' (f. 28.)

Another Tack to the same persons of the said small teinds of their lands for nineteen years from the date hereof for the yearly payments as in the preceding tack, dated and attested as the preceding tack.[1] (f. 29.)

[1] Through the kindness of the Earl of Lauderdale and his agents, Messrs. Tods, Murray, and Jamieson, W.S., the editor has been permitted to add the following abstracts of Charters relating to Threepwood: Charter by the Earl of Melrose in implement of a Contract between him and John Romanos, indweller in the town of Newhouses and Threepwood, and the rest of the tenants of said town of Newhouse and Threepwood, dated 10th and 15th September 1620, granting to him one half of the lands of Newhouses, paying yearly £4, 10s. Scots, a long carriage and 50 loads peat. The Charter dated 2nd December 1620 is written by John Mackley, the earl's servitor; witnesses, the said John Mackley and David M'Culloch, also servitor to the granter.

Instrument of Sasine thereon, dated 13th December 1620.—Infeftment given by James Pringill, apparent of Buckholme, in presence of Robert Lauder of Muircleuch; John Moffat, servitor to John Moffat in Threepwood; Mungo (Quentin) Currur, indweller there; and David M'Culloch, clerk of the diocese of Ross.

Similar Charter, dated 2nd December 1620, to John Williamson, indweller in Threepwood, of two parts of the half of Newhouses, paying yearly £3 Scots, a long carriage, and 34 loads of peat, written and attested as above.

Similar Charter, dated 2nd December 1620, to William Dewar, indweller in Newhouses, of a third part of the half of Newhouses, paying yearly 30 s. Scots, a long carriage, and 17 loads of peat, written and attested as above.

Charter by William Dewar, with consent of Margaret Hoy, his spouse, of said third part of Newhouses, to John Rolmainhous, portioner of Newhouses, dated 1st April 1622. Written by Alexander Wilkeson, notar in Lauder; witnesses, Mr. David Home, minister of Greenlaw, James Spens of Chirnesyde maynes, George Lauder, notar in Lauder, and William Henderson, burgess of Lauder. On the back there is a confirmation of said Charter by John, Earl of Haddington, dated 24th December 1662.

Instrument of Sasine, dated 23rd July 1635, by John Rolmainhouse, portioner of Newhouses, to Edward Hall in Blainslie, of two-thirds of Newhouses. Thereafter Edward Hall infefts Alison Jolly in said subjects. Witnesses, Hugh

Bukholme

Charter whereby James, Commendator of the monastery of Melrose, in accordance with the laws for promoting the policy of the country and augmentation of his rental, for the services of James Hoppringill of Tynnes in defence of the universal Catholic church of Scotland and especially of our monastery in the time of wars, troubles and insur-

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Dodis of Murecleuche, James and Philip Dods his sons, James Williamson and Andrew Davidsone. On the back there is a confirmation dated 24th December 1662. Witnesses, Archibald and John Howie, servitors to the earl.

Precept of *Clare Constat*, directing Gideon Jackson of Lochhouses to infeft James Williamson, eldest son of deceased John Williamson, indweller in Newhouses, in two-thirds of half of said lands of Newhouses.

Precept written by Thomas Wilkinson, notary, dated at Tyninghame 3rd July 1662. Witnesses, Robert Lauder and John Howie, the earl's servitors.

Precept of *Clare Constat*, directing Gideon Jackson of Lochhouses to infeft Isobel Hall, wife of John Lethgow, in Newhouses; Katherine Hall, wife of Andrew Marr, in Galtonside, and Marion Hall, wife of Robert Laidlaw, in Williamlaw, heirs portioners of Edward Hall in Blanislie, in half of Newhouses sometime occupied by deceased John Rolmanhouse, indweller in Newhouse, thereafter by Edward Hall, also one-third of half of said lands sometime occupied by deceased Wm. Dewar, thereafter by said John Rolmanhouse, and then by Edward Hall, dated 21st December 1662. Witnesses, Archebald Erskine and John Howie, servitors to the earl.

Instrument of Sasine following thereon, dated 14th December 1663. Witnesses, Alexander Lothian and John Currie, indwellers in Newhouses; Ephraim Wilkieson, younger in Lauder, and Andrew Kennedy in Darwick, Thomas Wilkieson, notary.

Instrument of Sasine, dated 14th December 1663 of John Lithgow in Newhouses in above subjects on disposition, dated 21st August 1663, by said three heirs-portioners attested by Gideon Jackson of Lochhouses, Mr. George Hepburn, his brother-in-law, Andrew Kennedy, portioner of Daruick, and Robert Trotter, son to Robert Trotter, portioner of Newsteid. After infeftment John Lithgow gave sasine to Isobel Hall, his wife, in liferent of one-third of said lands.

The following is an inventory of writs relating to one and a half husband lands of Threepwood, disponed in 1714 by George Baillie of Jerviswood to Mr. Thomas Moffat, minister at Newtown, and Robert Moffat, son of Archibald Moffat, Portioner of Threepwood. The Inventory is in the possession of Lord Binning at Mellerstaines, and Lord and Lady Binning have permitted the Editor to publish it, thus completing the links in the transmission of these lands:—

1. Feu Charter by Thomas, Earl of Melrose, to Robert Hall, indweller in Threepwood, in terms of Contract between the earl and him and the other tenants of the town of Threepwood, dated 10th and 15th September 1620; Charter, dated 2nd December 1620.

2. Sasine thereon, dated 13th December 1620.

3. Contract of Wadset, 15th May 1641, by said Robert Hall and John Hall,

rection within this kingdom, and for sums of money paid by him, grants to the said James Hoppringill and Agnes Forrester, his spouse, in liferent and to John Hoppringill, their lawful son, in fee, the lands of Bukholme extending in our rental to the yearly sum of ten merks, to be held in feufarm for the yearly payment of £10, being an augmentation of five merks, with duplication at entry of

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his son, to Mr. Charles Henderson, Commissary of Lauder, and Eupham Scot, his wife, of said one and a half husband lands.

4. Sasine upon Charter, in terms of said Contract, 15th May 1641.

5. Requisition upon said Contract, 24th March 1646.

6. Letters of horning following, 29th May 1646.

7. Contract of marriage between Mr. Charles Henderson and Eupham Scot, widow of Mr. Robert St. Clair, late Commissary of Lauder, 17th August 1637, providing her in 2000 merks.

8. Charge to enter heir, Eupham Scot, against William Henderson, son of Mr. Charles Henderson, 11th May 1669.

9. Assignation by her to Captain William Ramsay of her rights under said marriage contract, 3rd June 1669.

10. Inhibition against William Henderson, 24th November 1669.

11. Assignation and factory by Eupham Scot to Captain William Ramsay to pursue Oliver Sinclair, her son, for intromissions with the tenant's herds of cattle, etc., 13th August 1670.

12. Decreet of Reduction, Eupham Scot and Captain Ramsay against Oliver Sinclair, 18th July 1673.

13. Decreet, Ramsay against William Henderson foresaid, for sum contained in marriage contract, 16th February 1676.

14. Horning following thereon, 16th February 1676.

15. Special charge to enter heir, 10th March 1676.

16. Decreet of Adjudication following thereon, 3rd February 1677.

17. Charter by Charles, Earl of Haddington, to Captain William Ramsay, 5th May 1679, following on Decreet of Adjudication.

18. Sasine thereon, 15th August 1679.

19. Disposition by William Ramsay, only son and heir of Captain William Ramsay to James Nicolson of Trabroun, 23rd November 1693.

20. Precept of *Clare Constat* by Earl of Haddington and his tutors, to said William Ramsay, 6th April 1694.

21. Instrument of Resignation on No. 19 *supra*, 6th April 1694.

22. Charter of Resignation by Thomas, Earl of Haddington, and his tutors, to James Nicolson, 6th April 1694.

23. Sasine thereon, 20th October 1696.

24. Decreet of Adjudication, Sir John Scot of Ancrum against the Representatives of Robert and John Hall, 25th November 1695, adjudging said lands from them in his favour.

25. Inhibition, Sir John Scot against John Hall, 17th July 1663.

26. Disposition, Sir John Scot to Nicolson, of said Adjudication, 9th April 1696.

heirs. Dated 22nd March 1547; witnesses, Sir John Kaw, archdeacon of Lismore, Robert Ormstoun, Mr. Nicolas Robisoun, William Ormistoun, John Schaw, Henry Kinloche. Signed by the Commendator and Robert Liddell, prior, Thomas Merser, Richard Chatto, Mungo Purvess, William Philp, David Hoppringill, Bernard Bowstoun, John Hogart, John Fouuiros, and John Watsoun. (f. 30.)

Precept of Sasine following thereupon directed to William Ormistoun and Robert Ormistoun as bailies. Same date. (f. 32.)

Instrument of Sasine following thereupon dated 12th October 1548, given by William Ormistoun as bailie; witnesses, James Hoppringill of Murecleuche, Robert Ormistoun, John Hay, Robert Balfour and 'Kardus' Mow, John Spens, clerk of the diocese of Dunkeld being notary. (f. 32.)

This charter is confirmed by the Pope's commission dated in May, with the confirmation following thereupon dated 8th May 1550.

Tack to John Hoppringill of Bukholme and James Hoppringill, his son and apparent heir, for their lifetimes, and the lifetime of James's heir, and for nineteen years thereafter, of the teinds of the lands of Bukholme; yearly payment 26 s. 8 d. Dated Edinburgh, 8th June 1594; witnesses, Walter Cairnecorce in Lugat, Alexander Hoppringill, brother german to the said John, and John Hunter, messenger. (f. 33.)

Maxpopill

Instrument of Resignation by Alexander Balfour of Denemylne in the hands of Michael [Balfour], Commendator of Melrose, as superior of the lands of Maxpopill; done in the house of Mr. John Spens in Edinburgh about 9 A.M. on 10th April 1568; witnesses, John Ballenden of Calfhill, Mr. John Lawder and George Diksone, servitors to the said Commendator. (f. 34.)

Charter by the Commendator to Nicol Cairnecorse,

brother german of Robert Cairnecorce of Coilmislie, for certain sums of money, of the five merk lands of Maxpopill to be held for the yearly payment of five merks, with 8 s. of augmentation, and duplication at entry of heirs, with service at courts, etc. Dated 15th February 1568, and signed by the Commendator and John Watsone. (f. 35.)

Instrument of Sasine following thereupon, dated 23rd February 1568, given by John Cairnecorce as bailie; witnesses, Thomas Ramsay of Cumislie Mylne, Robert *alias* Hob Cairnecoirs, brother of the said Nicol, and Robert Hastie in Brudene, William Frank, clerk of the diocese of Glasgow, being notary. (f. 36.)

Laudhopmure

Charter to Charles Cairnecorce in Coumeslie and Marion Hoppringill, his spouse, in liferent, and John Cairnecorce. their son, heritably, of the half of the lands of Laudopmure and half of the moss of Reidcorsemoss occupied by the foresaid Charles Cairnecorce, paying yearly 27½ stones of butter or 6 s. 8 d. for each stone, also three loads ('fidderis') of turf or 40 d. for each, in the option of the payer, with 40 [d.] of augmentation, and duplication at entry of heirs, service at the three head courts, etc. Dated Melrose, 20th March 1567; witnesses, Robert Balfour, George Dikisone, William Kerter and others. Signed by the Commendator and John Watsone, elder, sub-prior, John Watsone, younger, Alexander Bannatyne, James Ramsay, Thomas Hallywell, Bernard Boustoun and George Weir. Note, this charter is confirmed by the King on 4th February 1582.[1] (f. 112.)

Instrument of Sasine dated 26th May 1568 in favour of Charles Cairnecorce in Commislie, Marion Hoppringill, his spouse, and John Cairnecoirce, their son, in half of the lands of Laudhopmure with the teinds, and half of the marsh of Reidcrosmos, presently occupied by the said Charles Cairnecorce, proceeding on a charter granted to

[1] See *Reg. Mag. Sig.*, vol. 1580-1593, No. 505.

them by the Commendator, dated 20th March 1567. Sasine was given by Thomas Scot of Hayning as bailie; witnesses, Thomas Hunter in Halkburne, William Carter in Cowmislie, Thomas Cunninghame, James Hoy, William Bannatyne, William Wallace, and John Downyse there and William Moffat in Threipwod, John Brydden, clerk of the diocese of Glasgow, being notary. (f. 37.)

Calfhill

Charter by Alexander Balfour of Denemylne to Nicol Cairnecorse, brother german of Robert Cairnecorse of Colmislie, and Elizabeth Lauder, his spouse, for a certain sum of money, of the lands called Calfhill *alias* the East side of the Lawdopmuir presently occupied by them, paying yearly £10 as the old rent, 13 s. 4 d. in augmentation, with duplication at entry of heirs. Dated St. Andrews, 14th May 1569; witnesses, Sir James Balfour of Pittindreiche, knight, Michael Balfour of Schanweall [*sic*] and David Balfour. (f. 38.)

Instrument of Sasine following thereupon, dated 14th August 1569, given by John Hume as bailie; witnesses, William Carter in Cwmslie, John Bannatyne there, George Hoppringill and Thomas Moffat, John Brydin being notary. (f. 39.)

Instrument of Sasine dated 10th July 1583 given by Elizabeth, Agnes, Barbara and Katherine Cairnecorce, sisters and lawful heirs of the deceased John Cairnecorce, son and heir of Charles Cairnecorce of Laudhopmure, with consent of John Hoppringill, spouse of the said Elizabeth, Charles Cairnecorce, their father, and Adam Hoppringill in Fawnis, curators of the said Katherine, to Andrew Darling, lawful son of Robert Darling of Apiltreleis and Christian Cairnecorse, his future spouse, of half of the lands of Laudhopmure with pertinents and half of the marsh of Reidcrocemoss; witnesses, James Lauder of Quhitlisland, Andrew Dowglass in Bonajedburgh, George Darling in Apiltreleis, John Scot, officer in Melrose, James Hadden, notary in Boldsyd, John Hoppringilll in Mure-

houses, and John Watsoun, pensionary of Melrose, William Brydin, clerk of the diocese of Glasgow being notary. (f. 40.)

COLMISLIEHILL

Contract dated at Edinburgh, 5th October 1575, and recorded there 6th October 1575, between John Hoy of Commsliehill and Alexander Balfour of Denemilne, whereby for 200 merks the said Alexander Balfour obliges himself to infeft the said John Hoy and his heirs and assignees in the lands of Colmesliehill, with pertinents, which the said John Hoy presently occupies, paying yearly to the Commendator the feufarm duties, and one penny to the disponer if asked; witnesses, Robert Balfour, provost of the Kirk of Field, Patrick Brown, skinner, burgess of Edinburgh, William Ormeistoun of Westhous, John Newlands, burgess of Edinburgh, John Hunter in Halkburne, Mr. Robert Young and Mr. John McCalzeane. (f. 41.)

Charter following thereupon whereby Alexander Balfour grants to John Hoy the lands of Commesliehill, paying yearly £5 as the old rent, with 11 s. 8 d. in augmentation, and duplication at entry of heirs. Dated Edinburgh, 5th October 1565; witnesses, Robert Balfour, son-in-law of the disponer, provost of the Collegiate Church of Mary of the Fields, and the others mentioned in the preceding contract. (f. 42.)

Charter by Alexander Balfour of Denemylne, to John Hoy in Commesliehill, of the lands of Commesliehill with pertinents, which the said John Hoy now occupies, in terms of contract of the date of these presents, paying yearly to the Commendator £5, with 11 s. 8 d, of augmentation, and duplication at entry of heirs. Dated Edinburgh, 10th July 1584; witnesses, John Young, writer, Abraham Young, his son, John Moscrope, writer, and James Tarbet, servitor to the said John Young, writer. (f. 44.)

Instrument of Sasine following thereupon, dated 30th October 1584, given by Thomas Hoy in Langschaw as

bailie; witnesses, William Hoy, brother german of the said John Hoy, John Williamsone in Newhouse, and Ninian Purves in Commesliehill, William Brydden being notary.

Note, this charter is confirmed on 11th July 1584 by the Commendator, with consent of the Iconimus, and afterwards by the king on 7th August 1591. (f. 45.)

Tack to John Hoy of Coummisliehill, and John Hoy, younger, his son, and an heir immediately succeeding the said John Hoy, younger, for their lifetimes, and three periods of 19 years thereafter, of the teinds of Coummisliehill, paying yearly £5. Dated Edinburgh, 7th May 1587; witnesses, Thomas Lumsdene, Patrick Schaw, Alexander Colvell and James Philp, servitors to the granter. Signed by the Commendator and John Watson, 'onlie convent.' (f. 72.)

Mills of Melrose

Charter by Alexander Balfour of Denemylne, feuar of the mills and others underwritten, in terms of contract between him and Gilbert Ker of Primsydlpch, Elizabeth or Elspeth Edmestoun, his spouse, and Robert Ker, their lawful son, dated Edinburgh, 5th November 1574, whereby he grants to them in feufarm in liferent and fee respectively the two grain mills of Melrose commonly called the two corn mills of Melrose with multures, etc., for which they have paid to him certain great sums of money. Yearly payment £48, with duplication, with 1 d. yearly at Whitsunday if asked. Dated Edinburgh, 6th Novemeber 1574; witnesses, Mr. Henry Balfour, advocate, James Harvy, his servitor, James Ramsay in Melrose and Cuthbert Burrell. (f. 10.)

Instrument of Sasine following thereon, dated 11th November 1574, given by James Ramsay; witnesses, Walter Scott, son of Walter Scott of Suyntoun, Walter Dammohoy there, Thomas Mar in Newsteid, Thomas Merser there, William Notman in Melrose, Robert Welsche there, John Tueedie there and Thomas Nobill in Greinheid. John Brydden, clerk of the diocese of Glasgow, is notary. (f. 12.)

There is noted a confirmation produced by the said James Ker of two charters, one granted by Robert Ker to Katherine Ker of the two corn mills of Melrose in liferent, and the other granted by Robert Bowstoune to the said Robert Ker of a house and yard in Melrose with five acres of land, both confirmed on 21st January 1607 by the King.[1] (f. 13.)

Charter to Thomas Mar in Newstead for a certain sum of money, of the office and service of the grain mills of Melrose commonly called the 'Knaiffscheipes' which are vacant by the death of Mathew Ahanney, last possessor thereof, to whom the said Thomas Mar is lawful heir, paying yearly 24 capons as the old rent, and two capons in augmentation, and duplication at entry of heirs, with service at the courts of Melrose, etc. Dated Melrose, 1st July 1565; witnesses, Mr. George Frier, writer in Edinburgh, Cuthbert Matheson, burgess of Edinburgh, and George Dickson. (f. 46.)

This charter is confirmed by King James on March 21st 1581-82.[2]

Charter by King James VI. with consent of Mr. John Preston of Penicuik, collector general and treasurer of the new augmentations, to Thomas Mar in Newstaid in liferent and Alexander Mar, his son and heir apparent, and his heirs and assignees heritably in feufarm, of the office and service of the grain mills of Melrose commonly called the knaifscheipis with the bannok and their pertinents, and that land or tenement containing 2½ particates or falls in width and 16 in length, in the lordship of Melrose, before the front gate of the monastery of Melrose on the south side of the highway between the lands of the monastery on the west, the land of Thomas Congiltoun on the east, the lands of Quarrelhill on the south and the highway on the north, with the acre of arable land of the Quarrelhill and pasture for two cows with their followers in the commonty in Danzeltoun, and for a horse or heifer in the

[1] See *Reg. Mag. Sig.*, vol. 1593-1608, No. 1837.
[2] *Ibid.*, vol. 1580-1593, No. 386.

Greenyaird and Weirhill from the beginning of April yearly to the gathering of the corn, and for the rest of each year wherever the animals and the horses of the said monastery are pastured, with right of peats in the peateries of Threipwod or whereever they may be had with least damage to the monastery; which office was resigned by the said Thomas Mar for this new grant, paying yearly to the Crown for the knaveship of the mill 26 capons as the duty formerly in use to be paid, with duplication at entry of heirs and three suits of court at Melrose, and for the said tenement and the acre of land 20 s., with 5 s. for teind ale etc. Dated Perth, 10th July 1604.[1] (f. 51.)

Precept of Sasine following thereupon, dated as the immediately preceding charter. (f. 52.)

Instrument of Sasine following thereupon, dated 24th March 1607, given by Andrew Wallace, sheriff in that part; witnesses, William Fischar in Newstaid, Robert Nicoll in Melrose, George Frier there and John Frier there, John Clerk, clerk of the diocese of Glasgow being notary. (f. 54.)

Letter of Pension to Alexander Mar, son and heir apparent of Thomas Mar in Newsteid for his good services, of a yearly pension of four bolls three firlots of meal 'girnell mett,' four bolls three firlots of beir 'girnell met,' and 9½ capons, to be uplifted yearly out of the duties of the 9½ acres of land possessed by his said father in the Annay, also the rent due yearly for the 12 acres of Newstaid and the eight acres in Coityairdis extending to £6. 12 d., presently possessed by his father, with the carriage and kain fowls of the said lands, likewise the 12 capons addebted yearly for the half of the knaveships of the two Abbey Mylnes of Melrose presently possessed by his said father, for the collection of which duties he appoints him his chamberlain for life. Dated Melrose, 3rd March 1593; witnesses, Andrew Hog, servitor to Lady Fairnehairst, William Douglass in Frierschaw, and John Hunter, messenger. (f. 54.)

[1] See *Reg. Mag. Sig.*, vol. 1593-1608, No. 1538.

Confirmation by King James VI. of a feu-charter by the deceased Michael, Commendator of Melrose, to Thomas Mar of the service and office of the mills called the corn mills of the Abbey of Melrose *alias* the knaveships and bannok of the said mills then vacant by the death of Mathew Ahannay, last servitor in the said office, dated Melrose, 1st July 1565, which confirmation shall be of as great validity to the said Thomas Mar and to Alexander Mar, his son, as if the charter by the Commendator were inserted verbatim, and he hereby grants to the said Thomas Mar in liferent and Alexander Mar, his son, and his heirs and assignees heritably, the said office and service, for the yearly payment of 24 capons, with two capons in augmentation, and duplication at entry of heirs, with service at the three head courts at Melrose. Dated Edinburgh, 14th April 1609.[1] (f. 55.)

Precept of Sasine following upon the preceding charter of the same date. (f. 57.)

Instrument of Sasine following thereupon, dated 22nd April 1609, given by Michael Fischer, sheriff in that part; witnesses, James Robsone in Melrose, John Frier there, Alexander Merser in Newsteid, and James Forsen there, John Scott being notary. (f. 59.)

NEWSTEID[2]

Charter to Thomas Mar of the 12 acres of the lands of Newstead with half of a cot yard there and pertinents now

[1] See *Reg. Mag. Sig.*, vol. 1609-1620, No. 54.

[2] Through the kindness of W. J. S. Roberts, Esq. of Drygrange, I am privileged to print the following translation of the original Feu Charter of the lands of Newsteid now in his possession: 'To all who shall see or hear this charter, Michael by divine permission perpetual Commendator of the monastery of Melrose and the convent thereof of the Cistercian Order, in the diocese of Glasgow, greeting in the Lord everlasting. Whereas not only by the sanction of both kinds of law but by the decrees of the most serene Princes of Scotland and acts which by the practique of Scotland are observed as laws, it is the custom that the lands both of kings, ecclesiastics, and laymen and of such as possess their lands heritably should be leased and granted in feu-farm or fee heritably chiefly to the kindly tenants and occupiers thereof, but without diminution of their rentals, so that by the care, diligence and labour of prudent men barren land may be cultivated, bettered, and brought to a higher state of fertility, the feufarm tenants of

occupied by himself, paying yearly for the said 12 acres with the teinds, 9 bolls 3 firlots of barley, 6 kain fowls,

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these lands increased in movable and warlike provision, and sufficient houses and other policies erected thereupon: Know ye therefore that we with one consent and assent for this effect chapterly assembled, having carefully treated and consulted the interest and profit of our said monastery and of our successors, likewise for the sum of twenty-six hundred and fifty merks, usual Scots money, wholly and fully paid and delivered to us for the making of these presents by the persons underwritten tenants and possessors of the lands afterfollowing for relief, support, and sustentation of us and our said monastery in the troublous times bygone, and for sundry other help, kindness, services and good deeds done and to be done by them to us and applied for the benefit and special need of our said monastery, likewise for augmentation of the rental of our said monastery extending yearly to the sum of £8 19 s. 3 d. money foresaid, beyond what the tenants underwritten have ever paid or given before, and for diverse other reasonable causes and considerations moving us to the making of these presents have given, granted, disponed, made over, leased, and in feufarm or perpetual fee heritably demitted and by this our present charter confirmed, likeas we give, grant, dispone, make over, lease and in feufarm or perpetual fee heritably demit and by this our present charter confirm to our lovites Robert Cumming in Newstead, Thomas Wilson there, Thomas Slater there, John Merser there, Robert Slater there, Richard Mein there, James Maybone there, John Gray there, Andrew Merser there, Thomas Mar there, John Cott there, Andrew *alias* Dand Mein there, Mathew Fisher there, Robert Mein there, Thomas Laing there, John Johnston there, John Merser there, Thomas Bonze there, William Mein younger there, Andrew Mein there, Robert Brown there, William Mein, elder there, Thomas Merser there, John Lindsay there, John Middlemas in Melrose, George Wilson in Newstead, James Brown there, David Thomson there, John Vair there, William Pearson there, Bernald Merser there, Robert Boston there, and Robert Wallace there, and their respective heirs and assignees whomsoever, all and whole our lands and town of Newstaid with our meadows called Houlawmedo and Foure aiker medo and Spensaris medo with the teind sheaves of all and sundry the foresaid lands town and meadows included which have never been separated from the stock and with all and sundry parts, pendicles, and pertinents bounded, limited and lying as hereafter follows in the vernacular, viz. Begynnand at the burne mouth of Scouburne quhair it rynnis in the watter of Tweyd at the south eist, ascendand up the said burne to the fuit of Harylawknowes and thairfra to the heid of Hairylawbuttis, and fra that to the Brumehill of Eildoun and fra that to the Hynnis medo of Eildoun, and fra that to the north bank of Eildoun, and fra that ascendand upoun the mercat gait passand to Jedburgh as it gangis eistwardis quhill it cum to the stane callit the standand stane betuix Wattis medo and the Cottburneley, and fra that ascendand to the standand stane on the bank of Cheritrig, and fra that ascendand to the Cutlawgait fuit, and fra that to the Meynisklopdykheid and fra that to the Braidwod of Boulden, and fra that to the Sweirilhoillis, and fra that to the west fluiris yettis, and fra that boundand with the nether bank of the hilling callit Newstaidhillis to the nik undir the Homecraig, and fra that discendand be the west syd of the Wyndiebank and fra that eist to the ward dyk quhill

3 short carriages and one long carriage, and 4 loads of peat, and for the half of the cot yard 34 s. as the old rent,

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it cum to the Pryouriswod corse, and fra that to the Pryouriswod dyk and fra that to the landis of Annay, and fra that to the watter of Tweid and mylnefurd thairof, and fra that doun the watter of Tweid to the burnemouth of Scouburne, and this to each of the foresaid tenants and occupiers and their heirs and assignees abovewritten in proportion as they occupy in manner following, but reserving to us and in our gift the lands called Plumber aikeris and Officearris aikeris of the said town of Newstaid, with the mill thereof, and the fishing of the water of Tweed thereto belonging, with their whole pertinents—namely, to the said Robert Cumming, two acres of land of the foresaid lands and town of Newstead; to the said Thomas Wilson, two acres of the said lands and town; to the said Thomas Slater, two acres of the said lands; to the said John Merser, four acres of the said lands; to the said Robert Slater, ten acres of the said lands, with the yard called the White yard and three acres of the said town and lands in Langmedois; to the said Richard Mein, six acres of the foresaid lands; to the said James Maybone, eight acres of the said town and lands, with two acres of land in Langmedo; and also to the said James, the alleys of —— and the piece of land called the Medoland; to the said John Gray, two acres of the said lands; to the said Andrew Merser, four acres of the said lands; to the said Thomas Mar, twelve acres of the said lands; and to the said Thomas, half of the Cott yard in Newstead; to the said John Cott, two acres of the said lands; to the said Andrew, *alias* Dand Mein, six acres of the said lands, with six acres of land in Eildoun Cott; to the said Mathew Fisher, twelve acres of land of Newstead; to the said Robert Mein, ten acres of the land there, with half of the foresaid Cot yard; to the said Thomas Laing, two acres of the lands of Newstead; to the said John Johnston, eight acres of the same, with half of the Overhairlawbuttis; to the said John Merser, seven acres of the town and lands of Newstead; to the said Thomas Bonze, eight acres of the same; to the said William Mein, younger, eight acres of the same; to the said Andrew Mein, ten acres of the same; to the said Robert Brown, eight acres of the same; to the said William Mein, elder, ten acres of the same; to the said Thomas Merser, ten acres of the same; to the said John Lindsay, four acres of the same; to the said John Middlemas in Melrose, four acres of the same; to the said George Wilson, four acres of the same, and half of Hairlawbuttis; to the said Thomas Brown, ten acres of the lands of Newstead; to the said David Thomson, eight acres of the same; to the said John Vair, six acres of the same; to the said William Pearson, four acres of the same; to the said Bernald Merser, three acres of the same, and an acre in Langmedo; to the said Robert Boston, the lands of Tuipmedo and Welmedo in Newstead; and to the said Robert Wallace, six acres in Eildoun Cott, with a piece of land called the Monkis land, with all and sundry the teind sheaves of all and whole the foresaid lands and town houses, buildings, pendicles and pertinents thereof, particularly and respectively before written bounded and limited as above, lying within the lordship and regality of Melrose and sheriffdom of Roxburgh, and occupied by the said persons respectively: Holding all and whole the foresaid town and lands of Newstead, with the said meadows of Hairlawmedo and four aiker medo, with the teind sheaves of all and sundry the foresaid lands, included therein parts,

with 7 s. of augmentation, or 8 s. for each boll of barley, with thirlage to the mills of the monastery and service at

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pendicles, and pertinents bounded, limited, and lying as above, to the foresaid persons, tenants and occupiers thereof, and their heirs and assignees respectively particularly and proportionally as is above written, of us and our successsors, the abbots, commendators, and convent of our said monastery, being for the time in feu-farm or fee and heritage for ever, by all their right meaths ancient and divided as they lie in length and breadth in houses, buildings, woods, fields, moors, marshes, ways, pools, streams, meadows, pastures and pasturages, hawkings, huntings, peataries, turferies, coals, coalheuchs, doves, dovecots, rabbits, rabbit warrens, smithies, brewhouses, brushwood, broom, woods, groves, plantings, firewood, thatch, stone quarries, stone and lime, with common pasture, free entry and exit, and with all and sundry other liberties, commodities, profits and easements, and their just pertinents whatsoever, as well not named as named, under the earth as above, near and remote belonging, or which may justly be held to belong, any manner of way in time coming to the foresaid lands and others abovewritten, with the pertinents, quietly, fully, freely, entirely, honourably, well, and in peace, without any impediment, recall, gainsaying or obstruction of any kind: Paying therefor yearly the foresaid tenants and occupiers of the town and lands and others respectively abovewritten, and their heirs and assignees, p ularly in manner under written, to us and our successors foresaid, an our chamberlains and factors of our said monastery, being for the time as hereafter follows, namely, the said Bernard Merser for his acre in Langmedo, which he now occupies, with the teind sheaves and pertinents thereof, the sum of 5 s. Scots; and the said Robert Cumming for his two acres in Newstead, which he now occupies, with the teind sheaves and pertinents thereof, six firlots two pecks of barley, Melrose measure, a cain fowl, a short carriage, and load of peats; the said Thomas Wilson for the two acres occupied by him, with the teind sheaves and pertinents thereof, the same as Robert Cumming pays for his two acres; the said Thomas Slater for the two acres now occupied by him, with the teind sheaves and pertinents thereof, the like; the said John Gray and Thomas Laing for the two acres of land which they now respectively occupy, with the teind sheaves and pertinents thereof, the like; the said John Cott for his two acres, with the teind sheaves and pertinents thereof, the like; the said James Maybone for the two acres in Langmedo which he now occupies, with the teind sheaves and pertinents thereof, two bolls of barley, Melrose measure; the said Robert Slater for the three acres in Langmedo which he now occupies, with the teind sheaves and pertinents thereof, six firlots of meal and six firlots of barley, both Melrose measure; the said Barnald Merser for the three acres of land which he now occupies, with the teind sheaves and pertinents thereof, two bolls one firlot and three pecks of barley, measure foresaid, with a long carriage, a load of peats, and one and a half cain fowls; the said John Merser for the four acres which he now occupies, with the teind sheaves and pertinents thereof, three bolls one firlot of barley, measure foresaid, with two cain fowls, one and a half short carriages, one and a half loads of peat; the said Andrew Merser for the four acres which he now occupies, with the teind sheaves and pertinents thereof, three bolls one firlot of barley, measure foresaid, with two cain fowls, one and a half loads of peats, a short carriage, and half of a

courts. Dated 3rd January 1568; witnesses, Malcolm Hoppringill, chamberlain to the Commendator, John

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long carriage; the said John Middlemass for the four acres which he now occupies, with the teind sheaves and pertinents thereof, three bolls one firlot of barley, two cain fowls, a long carriage, and a load of peats; the said George Wilson for the four acres of land which he now occupies, with the teind sheaves and pertinents thereof, the like; the said William Pearson for the four acres which he now occupies, with the teind sheaves and pertinents thereof, the like; the said John Lindsay for the four acres which he now occupies, with the teind sheaves thereof and pertinents, three bolls one firlot of barley, two cain fowls, a load and a half of peats, and a long carriage; the said Richard Mayne for his six acres of land, with the teind sheaves and pertinents, four bolls three firlots two peck of barley, three cain fowls, two loads of peats, one short carriage, one long carriage; the said Andrew, *alias* Dand Mein, for the six acres which he now occupies, with the teind sheaves and pertinents thereof, the like; and the said Andrew for his 6 acres in Eildon Cott which he now occupies with the teind sheaves and pertinents thereof, 3 bolls barley, measure foresaid; the said John Vair for the 6 acres which he now occupies with the teind sheaves and pertinents, similarly as Andrew Mein pays for his 6 acres in Newstead; the said Robert Wallace for his 6 acres of land in Eildoun Cott with teind sheaves and pertinents thereof, 3 bolls of barley, measure foresaid; the said John Merser for the 7 acres which he now occupies with the teind sheaves and pertinents thereof, 5 bolls, 2 firlots, 3 pecks of barley, measure foresaid, 3½ cain fowls, 2 short carriages, one long carriage, 2 loads of peats; the said James Maybone for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, 6 bolls 2 firlots of barley, measure foresaid, 4 cain fowls, 2 short carriages, one long carriage, 3 loads of peats; the said John Johnston for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said Thomas Bonze for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said William Mein, younger, for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said Robert Brown for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said David Thomson for the 8 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said Robert Slater for the 10 acres of land in Newstead which he now occupies with the teind sheaves and pertinents thereof, 8 bolls 2 pecks of barley, measure foresaid, 5 cain fowls, 3 short carriages, one long carriage, 3 loads of peats; the said Robert Mein for the 10 acres which he now occupies with the teind sheaves and pertinents thereof, 8 bolls 2 pecks of barley, measure foresaid, 5 cain fowl, 3 short carriages, one long carriage and 4 loads of peats; the said Andrew Mein for the 10 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said William Mein, elder, for the 10 acres of land which he now occupies with the teind sheaves and pertinents thereof, the like; the said Thomas Merser for the 10 acres which he now occupies with the teind sheaves and pertinents thereof, the like; the said James Brown for the 10 acres which he now occupies with the teind sheaves and pertinents thereof, similarly as Thomas Merser pays for his 10 acres; the said Thomas Mar for the 12 acres which he now occupies with the teind sheaves

Watson, minister of Melrose, and William McCartnay, notary. (f. 48.)

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and pertinents thereof, 9 bolls 3 firlots of barley, measure foresaid, 6 cain fowls, 3 short carriages, one long carriage, 4½ loads of peats; the said Mathew Fisher for the 12 acres which he now occupies with the teind sheaves and pertinents thereof, 9 bolls 3 firlots of barley, measure foresaid, 3 short carriages, one long carriage and 4 loads of peats with 6 cain fowls; the said Robert Slater for the White yard now occupied by him with the teind sheaves and pertinents thereof, 3 bolls of barley, measure foresaid; the said James Maybone for the alleys, the sum of 10 s., money foresaid, and for the piece of land called the Medoland, the sum of 20 s.; the said Thomas Mar for his half of the Cottyard with the teind sheaves and pertinents thereof, 34 s.; the said Robert Mein for the half of the Cottyard which he occupies, the like; the said John Johnston for the half of the lands of Hairlawbuttis which he now occupies with the teind sheaves and pertinents thereof, 7 s.; the said George Wilson for the half of the Hairlawbuttis which he now occupies with the teind sheaves and pertinents thereof, 7 s.; the said Robert Boston for the lands of Tuipmedo and Welmedo with the pertinents, 20 s.; and the said Robert Wallace for his piece of land called the Monkis land with the pertinents abovewritten, 27 s.; the sum of the whole barley foresaid extending to 10 chalders, 15 bolls, one firlot of barley; the sum of the cain fowls foresaid extending to 98 cain fowls; the sum of the said long carriages extending to 24; the sum of the said short carriages extending to 42½; the sum of the loads of peats foresaid extending to 72; the sum of the money foresaid extending to £7, 17 s. *salvo justo calculo*, as the old yearly ferms and duties contained in our rental formerly in use and wont to be paid for the foresaid lands town meadows with teind sheaves included and their pertinents, parts, and pendicles abovewritten, together with the sum of £8 19 s. 3 d. in augmentation of our rental more than ever was paid for the same before, or paying yearly for each boll of the foresaid bolls of barley, 9 s. money foresaid, at the option, pleasure, and will of the said tenants their heirs and assignees at the terms respectively underwritten namely, the said sums of money at two terms in the year, namely Whitsunday and Martinmas by equal portions, and the said remaining duties foresaid at the terms used and wont; likewise the said tenants, their heirs, and assignees respective foresaid paying the accustomed multure of their grain growing upon the foresaid lands yearly to the mills of our said monastery, also compearing and answering yearly in the courts of our said monastery and regality when and as often as the same shall be held; likewise the heirs and assignees of the said tenants respective foresaid paying the sum of 20 s. money foresaid for each "aucht aiker cavill" of the foresaid lands, town, and meadows respectively abovewritten proportionally as they occupy, the first year of their entry to the foresaid lands in name of doubling the feufarm, and this for all other burden, exaction, question, demand or secular service which can justly by any manner of way be asked or required by any whomsoever from the said lands, and town meadows . . . : Provided always that if it shall happen the foresaid persons or any of them their heirs and assignees to fail in payment of the foresaid feufarm so that three terms run into the fourth unpaid, then and in that case they shall lose and forfeit the present feufarm lease and this present infeftment shall now as then be of no strength force or effect. And we forsooth

Instrument of Sasine following thereupon, dated 14th February 1568, and given by John Fischer as bailie;

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the said Michael, commendator foresaid, and our convent and our successors, abbots or commendators and convent of the said monastery being for the time, all and sundry the foresaid lands, town, meadows, and acres of land described, occupied, limited and lying as is abovewritten with all and sundry the teind sheaves, pendicles, and pertinents thereof respectively included to the foresaid persons, tenants, and occupiers and each of them as is particularly before described and their heirs and assignees respectively freely and quietly in all and by all in form and effect as is abovewritten against all deadly shall warrand, acquit, and for ever defend. Moreover to our lovites . . . and each of you conjunctly and severally our bailies in that part specially constituted greeting: We strictly require and command you that immediately these presents seen ye give and deliver heritable state and sasine and real actual and corporal possession of all and sundry the foresaid lands, town meadows, and acres limited bounded and lying as above with all and sundry teind sheaves, parts, pendicles, and pertinents thereof respectively abovewritten to the foresaid persons and each of them by name and individually as is abovewritten proportionally as they occupy or to their certain attorneys bearers hereof by delivery of earth and stone of the ground of the said lands as the manner is, according to the tenor of our foresaid charter which they respectively have of us, and this in no wise ye omit the which to do we commit to you conjunctly and severally our bailies in that part foresaid our full and irrevocable power. In witness whereof to this our present charter containing precept of sasine subscribed with our hands the common seal of the chapter of our said monastery is appended at our said monastery the 13th day of September 1564 before these witnesses, Alexander Balfour of Deneis Mylne, James ——— and John Home, our servitors, with sundry others [*Signed*] Michael, commendator of Melrose, Thomas Halywell, John Watsone, David Pryngyll. [*Endorsed*] General charter granted by the commendator of Melrose of the lands and town of Newstead to the tenants and occupiers thereof.'

The following Charter of other lands in Newstead is in the possession of Mr. Curle:—

Feu-Charter to John Merser in Newstaid, who has paid 42 merks towards maintenance of the monastery, and augmentation of rental to the extent of 3 s. 3 d. yearly, of those four acres of land of the town and lands of Newstaid, with houses, yards, pendicles, teind sheaves and pertinents, now occupied by him, in the lordship and regality of Melrose and sheriffdom of Roxburgh; to be held of the granter and his successors, commendators or abbots of the said monastery, and their convent, in feufarm fee and heritage, for yearly payment to them of 3 bolls 1 firlot of barley, Melrose measure, two kain fowls, one short carriage and half of a short carriage, a load of peats and half a load of peats, as for the old ferm and duty, and 3 s. 3 d. of augmentation; or paying at his discretion 8 s. for each boll of barley foresaid; also bringing his grain to the abbey mills, giving suit to the courts of the said monastery and regality whensoever they are held, and paying by way of duplicand at entry of heirs his proportion of 20 s. imposed upon each 'aucht aiker cavill' of the foresaid town and lands, being in his case 10 s. If three terms' feufarm duty run into the fourth unpaid, this charter shall become void. Precept is directed to John

witnesses, Robert Meyne, mason in Newsteid, Patrick Mar there, James Maben there, John Gray there and John Middelmest in Melrose, John Brydden being notary.

(f. 50.)

SELKIRK

Charter by King James VI. narrating that a tenement of land, etc., possessed by Sarah Loch, lawful daughter of the deceased John Loch, who was only lawful son of the deceased Margaret Brydden, widow of the deceased Andrew Loch, burgess of Selkirk, has been possessed by them and the said Sarah Loch and their predecessors as old and kindly tenants of the Abbey of Melrose beyond memory of man; therefore he with consent of the officers of State grants to the foresaid Sarah Loch and her heirs and assignees in feufarm that tenement of land within the burgh of Selkirk on the north side thereof, with an acre of land and pertinents lying at the end of the said tenement, between the lands of the deceased David Hall on the west, those of the deceased John Bryden on the east, the highway on the south, and the water of Etrick on the north, for the yearly payment of 25 s. as the old duty with 20 d. of augmentation, duplication, and the customary burghal rent. Dated Holyroodhouse, 8th August 1590. (f. 59.)

Precept of Sasine following thereupon of the same date.

(f. 60.)

Instrument of Sasine following thereupon, dated 22nd January 1590, given by John Scot, one of the bailies of Selkirk; witnesses, George Vilkesone, burgess of Selkirk, Nicolas Chepman and John Brown, burgesses there, and James Wilkeine, William Syntoun and Andrew Trumble there. (f. 61.)

Charter by Andrew Abbot of Melrose, whereby he grants

Fischer to give sasine; and the charter is dated at the monastery of Melrose 3rd July 1568; witnesses, Malcolm Hoppringle, the granter's chamberlain, John Watson, minister of Melrose, and William M'Cartney, notary public. [Signed] Michael, Commendatarius de Melrose; Johannes Watsone, junior; Alex^{r} Ballentyne; Jacobus Ramsay; Thomas Hallewell; Barnardus Bowston; Johannes Fourois; Dauid Hoppringill; Jhones Watsone, elder, supprior; Thomas Meyn. The common seal of the chapter is appended, fairly legible.

to David Hall, son and heir apparent of John Hall, burgess of Selkirk, in feufarm a tenement of land in the burgh of Selkirk on the north side of the public street thereof between the lands of John Bryddin on the east, the lands of James Vilkeisoun on the east, the High Street of the said burgh on the south and the water of Etrick on the north, extending in our rental to the sum of 20 s., for the yearly payment of 25 s. to which the rent has been augmented, also the burghal rent due to the king. Dated 10th August 1534; witnesses, Robert Liddale and Thomas Merser, monks of the said monastery, William Berclay and Sir John Durie, Chaplain. (Signed) Andreas de Melros, Abbot; also by Robert Derlyng, Nicolas Williamsoun, Robert Hoye, Robert Liddell, John Andersoun, John Brounfeild, Richard Pancos [?][1] subprior, John Herwond, Robert Huidsoun, Adam Hangaldsyd, Thomas Drydein, David Hoppringill, John Sommerrose [*sic*], Thomas Smyth, Thomas Brounfeild, Thomas Blythe, Mungo Purves, Ralph Huidsoun, James Riddall, John Liddall, Thomas Merser and John Hogart. (f. 62.)

Instrument of Sasine following thereupon, dated 24th October 1534, given by Robert Chepman, one of the bailies of Selkirk; witnesses, Sir Robert Liddale and Sir Thomas Merser, monks of the monastery of Melrose, John Hoy in Comesliehill and George Chepman, John Brydin, John Rannyk and Andrew Brydin, Nicolas Brydin of the diocese of Glasgow being notary. (f. 63.)

Charter by John Hall, son and heir of the deceased David Hall, burgess of Selkirk, whereby he sells to George Wilkesoun, burgess of Selkirk, his tenement of land and garden with two portions of arable land with the two 'ever schottis' within the liberty of the said burgh between the tenement and lands of the deceased John Bryddin and Margaret Brydden, his daughter, widow of Andrew Loch, on the east, the highway on the south, the tenement and lands occupied by George Wilkiesoune on the west, and the portion of land which formerly belonged to the said

[1] Probably a mistake for Pancof (Phancouth).

John Hall and now to William Suyntoun, burgess there, on the north, held from the king for the yearly payment to the Crown of the customary burghal duty, and to the Commendator of Melrose 21 s. 8 d. Dated Selkirk, 19th March 1588; witnesses, Gavin Wilkeine, burgess of Selkirk, Thomas Scot, tailor, burgess there, John Rowane, indweller there, and William Brydin being notary.

(f. 64.)

Instrument of Sasine following thereupon, dated 8th March 1588, given by Patrick Kene as bailie; witnesses, Nicolas Chapman, William Dwne, Robert Scot, brother german of James Scot, burgess of Selkirk, Alexander Tod, schoolmaster there, and John Wilkesone, all in Selkirk, William Brydin, being notary. (f. 65.)

Instrument of Sasine dated 8th March 1588, given by Patrick Kene, one of the bailies of Selkirk, to John Hall, burgess there, lawful and nearest heir of the deceased David Hall, burgess of Selkirk, his father, in the lands contained in the preceding sasine; the same witnesses and notary. (f. 66.)

Charter by King James VI. to the foresaid George Wilkesoun, burgess of Selkirk, whose ancestors have been native and kindly tenants of the monastery of Melrose past memory of man, in feufarm of that tenement of land with pertinents in the burgh of Selkirk on the north of the public street thereof between the lands of the deceased John Brydin on the east, the lands of the deceased James Wilkieson on the west, the highway of the said burgh on the south and the water of Etrick on the north, for the yearly payment of 25 s. as the old rent to the Abbey of Melrose, with 20 d. of augmentation, and the customary burghal duties. Dated Holyroodhouse, 6th August 1590.

(f. 66.)

Precept of Sasine following thereupon of the same date.

(f. 67.)

Instrument of Sasine following thereupon, dated 22nd January 1590, given by James Scot, one of the bailies of Selkirk; witnesses, James Trumbill in Selkirk, Nicolas

Chepman and John Broun, burgesses there, James Wilkene, William Syntoun, Robert Hawden and Andrew Trumbill, all there, William Brydin being notary. (f. 68.)

Cruik

Charter in feufarm to William Dowglas in Cruik and his heirs and assignees of the three merk lands of Cruik with pertinents now occupied by himself, paying yearly 40 s. as the old rent, with 3 s. 4 d. in augmentation, and duplication at entry of heirs. Precept is directed to Thomas Scote of Hayning and Arthur Dowglas. Dated Melrose, 8th April 1568; witnesses, Malcolm Hoppringill, chamberlain to the Abbot, Patrick, Donald and James Dowglass in Banejedward, and John Wallace in Melrose. Signed by the Commendator, and John Watson, elder, subprior, Thomas Halywell, Barnard Boustoun, John Feurros, Thomas Mayn, John Watson, younger, James Ramsay, George Weir and Alexander Ballanteine. (f. 69.)

Instrument of Sasine following thereupon, dated 5th April 1569, given by Arthur Dowglass in Kirktoun; witnesses, William Dowglass in Kirktoun, Walter Trumbill in Caveris, William Paterson in Cruik and Walter Scot there, Mr. George Dowglass of the diocese of Glasgow being notary. (f. 70.)

Precept of *Clare Constat,* in favour of Martin Dowglass as heir to his father William Dowglas of Cruik, in the 40 s. lands of Cruik, paying yearly 40 s. The precept is directed to William Scot in Hawak and dated Melrose, 16th November 1592; witnesses, Gawin Thomsoun, Patrick Cranstoun and John Scote, notary, servitors to the granter. (f. 71.)

Instrument of Sasine following thereupon, dated 21st November 1592, given by William Scot in Hawik; witnesses, Robert Scot in Hawik, Adam Scot in Ormestoun, James Dowglas called of Deynebray, Simon Routlege in Cruik and Robert Thorbrand there, Hugh Boustoun being notary. (f. 71.)

Letter of Pension, in favour of John Dowglass, second son of Mertene Dowglass of the Cruik, of a yearly pension

of ten merks to be uplifted from the Kirkland of Hassindaine and the lands of the Cruik, of which three merks are to be taken out of the latter. Dated Melrose, 16th November 1592; witnesses, Gawen Thomesoun, Patrick Cranstoun and John Scot, notary, servitors to the granter. (f. 71.)

The Mill of Newtoun

Charter narrating that the mill of Newtoun with the multures thereto belonging to the towns of Newtoun, Lessudwyne, Elistoun, Cammistoun, Maxpoffill, Muirhouslaw and Plewland, extending in the rental to the sum of 12 merks yearly, were let in feufarm without any profit to the deceased Arthur Sinclair, and afterwards belonged heritably in feufarm to Mr. Henry Sinclair, Dean of Glasgow, his brother and heir, and are now fallen in 'our' hands as superiors, which the Commendator now grants in favour of Robert Carnecorse of Cummislie, in whose favour they were resigned by the said Mr. Henry Sinclair, to be held by him and Barbara Home, his spouse, in feufarm, paying yearly 12 merks as the old rent and 13 s. 4 d. in augmentation, with service at court. Dated 20th May 1557. Signed by the Commendator and Convent.

(f. 73.)

(This charter is confirmed by the king on 19th May 1587.[1])

Precept of Sasine following thereupon of the same date.

(f. 75.)

Precept of *Clare Constat,* in favour of William Cairnecorce now of Commislie as heir to the deceased Robert Cairnecorse, his father, in the Mill of Newtoun with the multures thereof. Dated Edinburgh, 11th December 1581; witnesses, James Primrose, James Maistertoun and Archibald Dundas, servitors to the Commendator, who signs the precept. (f. 76.)

Tack to William Caircorce of Cummislie for his lifetime, and to James Caircorce, his son, and his heirs for nineteen years, of the teinds of the lands of Langley, Cummislie and

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[1] See *Reg. Mag. Sig.*, vol. 1580-1593, No. 1253.

Wowplaw, paying yearly for Langlie £10, for Cumislie £6 13 s. 4 d., and for Wowplaw 30 s., being in all £18 3 s. 4 d. Dated Edinburgh, 12th October 1587; witnesses, William Schaw of Latharighe, John Dowglass of Kenneistoun, Alexander Donaldsone, his servant, and Andrew Mudie, notary. (f. 77.)

Disposition by the Commendator, for his lifetime, to William Cairnecorse of Commislie and his heirs of the feu duties and teind silver of the lands of Langlie £22 6 s. 8 d., the lands of Wouplaw £5, the teind silver of Comislie ten merks, the rent of Newton mill £8 and teind silver of the Westside of Housbyre £10, extending in all to £52. Dated Melrose, 9th November 1597; witnesses, Mr. John Knox, minister at Melrose, Mr. William Henderson, parson of Langnewtoun, Alexander Mar, servitor to the granter, and William Hay, notary. (f. 77.)

ALLANSHAWS

Charter by James Dowglass, Commendator of Melrose, with consent of Dame Margaret Ker, his spouse, and Dame Janet Scot, his mother, for their interest, to Charles Cairnecorce in Allaneschaw, of the lands of Allanschaues with pertinents and teinds presently occupied by the said Charles Cairnecorce, whose ancestors have been native kindly tenants thereof for many years past, paying yearly ten merks as the old rent and 3 s. 4 d. in augmentation, with duplication at entry of heirs. Dated Edinburgh, 18th June 1590; witnesses, John Crawfurde, servitor to the granter, John Hoppringill in Edinburgh and Richard Cass, W.S. (f. 79.)

Instrument of Sasine following thereupon, dated 24th February 1590, given by William Spottiswod in Spottiswood as bailie; witnesses, Mr. John Scot, rector at Lokarmagus, Alexander Thomeson in Allaneschaw, George Thomesoun there, John Scot and John Allane, notaries. (f. 81.)

(This Charter is confirmed by the king in the year 1593.)

Tack, with consent of the convent, to Charles Cairn-

corce in Allaneschaws and his heirs for three successive lifetimes and three periods of nineteen years thereafter, of the teinds of his lands of Allaneschaws, paying yearly 50 s. Dated 6th September 1586; witnesses, Robert Ker in Melrose, John Watsoun, portioner of Melrose, and John Scot. (f. 82.)

Charter by Charles Cairnecorse to William Cairnecorse of Cowmeslie of the lands of Allaneschawis with the teinds, paying yearly one penny if asked. Dated Edinburgh, 6th —— 1600; witnesses, William Hunter of Williamelaw, John Allane, portioner of Bassenden, Robert Cairnecorce, burgess of Edinburgh, John Eistoun, writer, and William Mackene, his servitor. (f. 100.)

Instrument of Sasine following thereupon, dated 6th June 1600, given by William Hoppringill, burgess of Lawder; witnesses, Nicol Cairnecorse of Calfhill, Gavin Henderson in Birksneip, Nicolas Cairnecorse, brother german of Charles Cairnecorse of Allaneschawis, —— Huchesoun of Wouplaw, and James Edmestoun and William Bowie, notaries. (f. 101.)

Woplaw

Charter whereby in terms of contract between the Commendator and William Cairnecorce of Cowmeslie, dated Edinburgh, 8th June 1593, he grants in feufarm to the said William Cairnecorce the lands of Voplaw for yearly payment of £3 10 s. Dated Edinburgh, 8th June 1593; witnesses, Archibald Dowglass, younger of Quhittinghame, Mr. Richard Dowglass, his brother german, George Dowglass, younger of Langnudry, Walter Cairnecorse in Lugat and Thomas Wilson, servitor to Richard Cass, writer. (f. 88.)

Instrument of Sasine following thereupon, dated 5th July 1593, given by James Pringill in Commeslie as bailie; witnesses, George Cairnecorce in Allaneschawis, servitor to the said William, Charles Pringill in Cowmeslie, Charles Uneis there and John Watsoun there, John Scott being notary. (f. 90.)

Assignation by Nicol Cairnecorce of Calfhill, elder, and Nicol Cairnecorce of Calfhill, younger, his eldest son, to William Cairnecorse of Cowmeslie of the teinds of the lands of Blainsleis for the remainder of the nineteen years' tack set to them for 40 merks yearly. The assignee obliges himself to satisfy Robert Ormestoun of Auld Melroise who pretends right to these teinds, and to obtain his discharge thereof, and the said Nicol Cairnecorce, elder, obliged himself to obtain a discharge from the Commendator of the silver maill of the said William's lands of Commeslie, Housbyre and Langlie during the said Commendator's lifetime, being £50 yearly. For which the said William Cairnecorse of Cumeslie has sold to the said Nicol Cairnecorse of Calfhill, elder, the heritable right made to him by James, Commendator of Melrose, and Dame [Janet] Scot, his spouse, of the lands and barony of Newlands in the shire of Peebles under reversion for 500 merks, and obliges himself to infeft the said Nicol and his heirs therein. The assignation is dated ——, —— 1597; witnesses, Mr. William Hairt of Leviland, Thomas Davidson, David Heart and William Cairnecorse, servants to the said Mr. William, and George Cairnecorse. (f. 91.)

Tack to Nicol Cairnecorse of Calfhill and Nicol Cairnecorse, his eldest son, for their lifetimes and the lifetime of a third person after them and nineteen years thereafter, of the teinds of the lands of Blainslies, paying 40 merks yearly. Dated Edinburgh, 1st August 1595; witnesses, John Cairnecorse, brother to William Cairnecorse of Commislie, Adam Mathesoun, writer, and Thomas Wilsoun, servant to Richard Cass, writer. (f. 93.)

Tack to Thomas Cranstoun and his heirs and assignees of the teinds of the lands of the Wester Raik of Wolhousbyre, possessed by Alexander Cairnecorse, his subtenant, for nineteen years, paying yearly £10. Dated Melrose, 15th May 1595; witnesses Patrick Cranstoun, James Philp and George Schaw, servitors to the granter. (f. 94.)

Assignation by Thomas Cranstoun, called the Deins Thomas, as tacksman of the Commendator, of the teinds

of Wester Raik of Wolhousbyre, to William Cairnecorce of Colmeslie of the tack of the foresaid teinds set to him by the Commendator. Dated Edinburgh, 18th June 159—; witnesses, Mark Home, Thomas Cranstoun, John Cairnecorce and J. Prymrois. (f. 95.)

Colmislee

Charter by King James vi. to William Cairnecorce of Colmislie of the lands of Selmuir *alias* Colmislie, dated 24th March 1594-95.[1] (f. 83.)

Precept of Sasine following thereupon of the same date. (f. 86.)

Instrument of Sasine following thereupon, dated 25th April 1595, given by Charles Daustoun in Cowmislie as bailie; witnesses, Charles Unis in Colmeslie, Nicol Hutoun there and George Johnistoun there, Hugh Bowstoun, clerk of the diocese of Glasgow, being notary. (f. 87.)

Charter granting in feufarm to William Cairnecros of Cowmeslie and his heirs male and assignees the half of the lands of Selmure *alias* Cowmeslie extending to a £5 land of old extent, also the lands of the Westersyd of Housbyre and half of the lands of Langlie with the croft called Sellarhauch, which formerly belonged to the said William Cairnecros and were resigned by him, paying yearly for Selmure 50 stones of butter as the old rent, or 6 s. 8 d. for each stone, for Westersyd of Housbyre and half of Langlie with the croft of Sellarhauch £16 and 20 stones of butter or 6 s. 8 d. for each stone at the option of the said William Cairnecros, being in all £39 6 s. 8 d. with three suits of court at Melrose, and duplication at entry of heirs. Dated Melrose, —— 15—. Signed by the Commendator and John Watsoun. (f. 96.)

Instrument of Sasine, dated 6th December 1582, in favour of William Cairnecorse as son and heir of ——, of the mill at ——, on a precept by the Commendator, with consent of the Iconomus, directed to William Cairnecorse

[1] See *Reg. Mag. Sig.*, vol. 1593-1608, No. 251.

as bailie; witnesses, Charles Cairnecorse in Allaneschawis, George Cairnecorse in Newtoun, Alexander Thomesoun in Newtoun, and Thomas Anderson there, Alexander Young, of the diocese of St. Andrews, being notary. (f. 102.)

Charter by James Dowglass, Lord of Melrose, to John Spottiswod in Quhytlie of the ten merk lands of Quhytlie and Quhytliedykis, paying yearly ten merks as the old rent with 2 s. 4 d. of augmentation, and ten merks at entry of heirs. Dated Melrose, 5th June 1590; witnesses, Robert Ker in Melrose, Mr. William Henrysoun there, John Hoppringill of Maisterhouse, and John Scott, notary. (f. 102.)

Instrument of Sasine following thereupon, dated 10th July 1591, given by William Diksoun; witnesses, William Paterson in Quhytlie, Andrew Hadden, and James Hoppringill there, Alexander Young being notary. (f. 104.)

Tack to Nicol Cairncorse, younger of Calfhill, for the good service done by Nicol Cairnecorse, elder of Calfhill, his father, and their predecessors, of the teinds of the lands of Quhytlie and Quhytliedyks for the lifetimes of the said Nicolas, younger, and his heir male, and after their deaths to three heirs male of the said Nicol's heirs successively, and their heirs, for other two nineteen years, paying yearly ten merks. Dated Melrose, 28th October 1589; witnesses, Thomas Lumisdene, Alexander Vodpethe and John Scot, notary. (f. 105.)

Assignation by Nicol Cairnecoirse, younger of Calfhill, with consent of Nicol Cairnecorse, elder, his father, to John Spottiswoid of Quhytlie, for 1700 merks of the above tack of the teinds of Quhytlie and Quhytliedykis; dated Calfhill, 12th April 1596; witnesses, John Pringill of Murehouse, Thomas Pringill of Trinliknowis [*sic*] and Alexander Wilkiesoun, notary in Lauder.[1] (f. 107.)

[1] The family of Cairncross once held so large a portion of the regality lands that it seems appropriate, in pursuance of their history, to submit an inventory of the Cairncross Charters in the Edgerston Charter Chest, deposited for safety in the General Register House, Edinburgh. I am indebted to Dr. Maitland

Charter to Simon Scot of Boningtoun of the lands of Espiehoip in the lordship of Ettrik Forrest and regality of Melrose, paying yearly 9 merks as the old rent with

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Thomson for the following Inventory, which has been supplemented by Miss M. G. Edgar, M.A. :—

1. Commission by Pope Clement VII. to the Archbishop of Glasgow and two Bishops, to admit Robert Carncors, priest of Glasgow diocese, as a Canon Regular of Holyrood, 6th Nov. 1528. [He was provided to the abbacy the same day.]

2. Commission by the Cardinal Grand Penitentiary to the dean of Lestalrig and two others, to confirm a nineteen year tack by Robert, Abbot of Holyrood and convent thereof, to William Carncors, layman, of the lands of Reidheutht, in the barony of Cars, regality of Brothon, and sheriffdom of Striveling. 13th Feb. 1533-34.

3. Instrument of Sasine, given by the bailie of the barony of Brochtoun, to Nichol Carncors, burgess of Edinburgh, of the lands of Bakspittaill and Foirspittaill, in the regality of Brochtoun and sheriffdom of Edinburgh; of which lands the said Nichol already had a nineteen year tack. On Feu-Charter by Robert, Abbot of Holyrood and convent thereof, to said Nichol and the heirs of his body, whom failing, to William Carncors, his brother-german, his heirs and assignees whomsoever. Charter dated 21st April, Sasine 13th May 1536.

4. Confirmation by two Papal Commissioners of the Feu-Charter mentioned in No. 3. Dated 31st Jan. 1536-37.

5. Charter of Sale, by Sir John Striveling of Keir to William Carncors of Cummislie, of one-fourth of the lands of Fawnis, in the sheriffdom of Berwick. 9th April 1538.

6. Precept of Sasine following on, and of even date with, No. 5.

7. Precept of Sasine by William Wod of Bonyntoun, for giving sasine to Nichol Carncors and Marion Scott, his spouse, of one-third of the lands of Gilchhorne, in the barony of Kinblathmonth and sheriffdom of Forfar. 11th April 1538.

8. Charter of Sale by James, earl of Arane, with consent of his curator, to Nichol Carncors, burgess of Edinburgh, and Marion Scot, his spouse, of two-thirds of the land of the Forest of Bothuile, in the barony of Bothuile and sheriffdom of Lanark. 10th May 1538.

9. Precept of Sasine following on, and of even date with, No. 8.

10. Instrument of Sasine following on No. 9. 1st June 1538.

11. Instrument of Sasine following on No. 7. 4th June 1538.

12. Letters under the Privy Seal, granting to William Carncors of Cowmislie the temporality of the bishopric of Ross, from the death of James, late bishop thereof, till the lawful admission of a bishop thereto. 3rd Oct. 1538.

13. Great Seal Charter to William Carncors of Cowmislie, of subjects at the Netherbow of Edinburgh. 14th Dec. 1538. (*Reg. Mag. Sig.*, iii. 1873.)

14. Instrument of Publication of a Bull of Pope Paul III., dated 14th April 1539, granting to Robert, elect of Ross, formerly Abbot of Holyrood, a pension of 500 merks Scots out of the parish kirks of Falkyrk and Livyngston, in the diocese of St. Andrews, and the town of Brochtoun, in the parish of St. Cuth-

3 s. 4 d. of augmentation. Dated Melrose, 19th June 1604; witnesses, William Hay and Henry Blakie, notaries. (f. 108.)

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bert's, and same diocese, pertaining to said abbey; the abbacy having been papally provided to Robert Steward, clerk or scholar of said diocese, and its revenues being greater than those of the bishopric. Instrument dated 24th May 1539.

15. Obligation by Sir James Hammiltoun of Fynnart, to Nichol Carncors, burgess of Edinburgh, and Marion Scot, his spouse, to warrant the lands of Cauldstreme, in the barony of Avendale and sheriffdom of Lanark, sold by him to them. 7th July 1540.

16. Instrument of Redemption of one-fifth of said lands of Cauldstreme, by said Nichol Carncors from John Stewart of Halrig, to whom it had been wadset by umquhile Sir James Hammiltoun, of Fynnart. 8th May 1541.

17. Assignation by Nichol Carncors, burgess of Edinburgh, of the nineteen year tack of the teindsheaves of the parish of Barro, set to him by the Abbot and convent of Holyrood, to his brother's sons,—Robert Carncors, son and apparent heir of William C. of Cummislie, John Carncors, clerk, and Charles Carncors. 23rd Nov. 1541.

18. Great Seal Charter, confirming three Charters granted to Robert, Bishop of Ross. 15th Aug. 1542. (*Reg. Mag. Sig.*, iii. 2760.)

19. Instrument of Sasine of the lands of Canlochmore and others in Ross, in favour of William Carncors. On Precept following on Feu Charter by Robert, Bishop of Ross. Precept dated 18th May, Sasine, 3rd July 1543.

20. Precept by James, Commendator of Melros and convent thereof, for giving sasine to William Carncros of Cowmislie and Marion Pringill, his spouse, of the lands of Westerside of Housbyre, and half the lands of Langley, with the croft called Cellararhauche, in the lordship of Melros and sheriffdom of Roxburgh. Following on Feu Charter. 18th Nov. 1547. Signed by Abbot and nine monks.

Endorsed is a Minute of the Sasine given 12th Dec. 1547.

21. Precept of *Clare Constat* by Robert, commendator of Holyrood, for giving Sasine to Robert Carncors, son and heir of umquhile William C. of Cummislie, as heir of umquhile Nichol Carncors, burgess of Edinburgh, his father's brother, of the lands of Bakspittale and Foirspittale. 7th May 1554.

22. Sasine on the preceding. 10th May 1554.

23. Sasine to Robert Carncors of Comeslie, as heir of umquhile William C., of Comeslie, his father, of £42, 13 s. 4 d. Scots, furth of the lands of Hartsid, with mill thereof, in the constabulary of Haddington. On Precept of *Clare Constat* by George Home of Spot. Precept dated 28th Nov. 1556, Sasine 24th Jan. 1556-57.

24. Procuratory by John Carncors of Cowmislie, for resigning the lands of Quhitsyd and Glenmuth, in the sheriffdom of Peebles, into the hands of James, Earl of Mortoun, superior thereof, in favour of Rob. Carncors of Comeslie and Barbara Hume, his spouse. 15th May 1557.

25. Great Seal Charter to Robert Carncors of Colmislie and Barbara Hume, his spouse, of Eister Rarechie and others in Ross. 23rd July 1557. (*Reg. Mag. Sig.*, iv. 1194.)

Instrument of Sasine following thereupon, dated 3rd October 1604, by Robert Scot, apparent of Tuischelaw as bailie; witnesses, Thomas Inglische, brother of the

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26. Ratification by the convent of Melros of Bond by Michael, commendator thereof, to Robert Carnecors of Comeslie, in consideration of 3000 merks Scots paid by him, to maintain him and his heirs in possession of their lands held of the abbey, specially Langlie and Wollisbyre in the lordship of Melros and sheriffdom of Roxburgh; to discharge all reversions thereof granted by Robert or his father; and not to redeem the lands without first repaying said 3000 merks. Bond dated 15th Nov. 1566, ratification 14th May 1567. Six monks sign.

27. Letters of Reversion by William Stark of Awichinstarie in favour of Robert Cairncors of Cummislie, for redemption of 70 merks annual rent furth of the lands of Reidhewch for 700 merks. 25th Oct. 1571.

28. Tack by Adam, Bishop of Orkney, commendator of Holyrood, and convent of said abbey, to Robert Carnecroce of Colmeslie, of the teindsheaves of the lands of Burrowmure and the Common-myre of Edinburgh, of the lands of Bonyngtoun pertaining to the parsonage of St. Cuthbert's, and of the lands of Ridnoch in the barony of Kers and sheriffdom of Stirling, for nineteen years from 20th June 1574. Dated 17th Sept. 1571. Signed by commendator and five canons.

29. Charter of Sale by David Hume, lawful son of Alexander H. of Manderstoun, with consents, granting to William Carncroce of Colmislie, the lands of Spittell and others, in Lauderdale. To be held of Dryburgh Abbey in feu. 19th May 1578.

30. Charter similar to the preceding, but to be held *de me*. Same date.

31. Charter of Sale by John Hume, lawful son of Alex. H. of Manderstoun, with consents, granting to said William Carncroce 5½ husbandlands of Slegden, in the earldom of March and sheriffdom of Berwick. To be held of the king. 19th May 1578.

32. Charter similar to preceding, but to be held *de me*. 6th June 1578.

33. Sasine on the Precept in No. 30. 27th June 1578.

34. Letters of Reversion by George Wauchop, burgess of Edinburgh, in favour of William Carnecors of Colmislie, for redemption of an annual rent of 100 merks Scots furth of the lands of Cranstoun-Riddell, in the sheriffdom of Edinburgh, by payment of 1000 merks. 16th April 1579.

35. Letters of Reversion by James Hoppringill of Quhitbank and Wodhous and Marion Murray his spouse, in favour of William Carnecors of Colmislie and Margaret Hoppringill his spouse, for redemption of the lands of Mekill Catpair, in the lordship of Stow in Weddell and sheriffdom of Edinburgh, by payment of 500 merks Scots. 12th June 1582.

Indorsed. Acknowledgment that the lands had been redeemed. No date.

36. Tack by Adam, Bishop of Orkney, commendator of Holyrood, and convent thereof, to James Carnecors, son and heir-apparent of William C. of Colmislie, of the teinds mentioned in No. 28, for nineteen years from date. 8th March 1585-86. Signed by Commendator and three canons.

37. Tack by James, commendator perpetual of Melros, with consent of the convent thereof, to Charles Cairncroce, in Alaneschawis, for his life and that of

Laird of Manerheid, Andrew Scot in Scabcleuch, and Mathew Caldwell in Midgehope, Henry Blakie being notary. (f. 109.)

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two successive heirs, and to the next heir for thrice nineteen years (with entry at date), of the teindsheaves and small teinds, parsonage and vicarage, of the lands of Alaneschawis, in the lordship of Melros and sheriffdom of Roxburgh. Tack duty 50 s. Scots. 6th Sept. 1586. Signed by the Abbot and James Watson, 'only convent.'

38. Letters of Reversion by Mr. John Moscrope of Cassiltoun, in favour of William Cairncors of Colmeslie, for redemption of an annual rent of 120 merks Scots, furth of the lands of Reiddoche, in the barony of Brochtoun and sheriffdom of Stirling, by payment of 1000 merks Scots. 7th Nov. 1586.

39. Tack by the same Commendator of Melrose, with the like consent, to William Carncroce of Cummislie for his life, and thereafter to James C., his son, and his heirs and assignees for nineteen years, of the teindsheaves of the lands of Langley, Cummyslie, and Wowplaw, with the vicarage thereof, in the lordship of Melros and sheriffdom of Roxburgh. Tack duty for Langley £10, for Cummyslie, £6 13 s. 4 d., for Wowplaw 30 s., in all, £18, 3 s. 4 d. 12th Oct. 1587. Signed as No. 37.

40. Charter of Sale, William Carnecors of Colmislie to Stephen Huchesoun in Colmislie, of the lands of Colmislie, in the lordship and regality of Melros and sheriffdom of Roxburgh. To be held *de me*, for one penny Scots of blench duty. 3rd June 1590.

41. Sasine following on No. 40. *Propriis manibus* of said William Carnecors. 3rd June 1590.

42. Feu Charter by James, commendator of Melros, feuar of the lands undermentioned, with consent of Dame Marion (or Mary) Ker, his spouse, and of Dame Jonet Scott, her mother, to Charles Carnecroce in Allaneschaw, of the lands of Allaneschawis, with teindsheaves and other teinds, parsonage and vicarage included, in the regality of Melros and sheriffdom of Roxburgh. To be held *de me*: rendering for the lands 10 merks, for the teinds 50 s., and 3 s. 4 d. augmentation; and double feu duty at each heir's entry. 8th June 1590.

43. Sasine on Precept in No. 42. Dated 24th Feb. 1590-91.

44. Feu Charter by said commendator of Melros to William Carnecroce of Colmesley, of the lands of Woplaw, in the regality of Melros and sheriffdom of Roxburgh. Feu duty £3 10 s. Scots. 8th June 1593.

45. Sasine on Precept in No. 44. Dated 5th July 1593.

46. Sasine to Stephen Huitsone in Colmeslie, of said lands of Voupla. On Precept in Charter by said William Carncroce. Dated (both Charter and Sasine) 23rd April 1594.

47. Charter of Sale by Charles Carnecroce (of Allaneschawis) to William Carnecroce of Colmeslie, of said lands and teinds of Allaneschawis. To be held *de me*, for one penny Scots of blench duty. 6th May 1600.

48. Sasine on Precept in No. 47. Dated 6th June 1600. Witnesses, Nichol Carncors, apparent of Calffhill, Nichol Carncors, brother-german of Charles C. of Allaneschawis and others.

49. Sasine to Alexander Home in Sanct-Leonardis, of the lands of Spittell and others, in Lauderdale. On Precept in Charter by William Cairnecors of

Charter by James Dowglass, Lord of Melrose, to Andrew Dowglass in Freirschaw in liferent and George Dowglass, his lawful son, and his heirs and assignes whomsoever

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Colmeslie. Charter dated 19th June, Sasine 4th July 1601. John C., brother-german, and James C., eldest son, of granter, are witnesses to the Charter.

50. Letters of Reversion by James Mitchell, minister at the Stow in Weddell, William Pringill in Bow, and Rachel Mitchell, his spouse, in favour of William Cairncroce of Cumislie and James C., his son and apparent heir, for redemption of the above lands and teinds of Allanschawis, by payment of £1000 Scots to said James Mitchell, and £1000 to said William Pringill and spouse. 7th August 1605.

51. Instrument of Sasine following on Precept in Charter by Sir John Home of Coldingknowis in favour of Mr. James Home of Eccles, William Carncroce of Colmislie, Mr. Robert Home of Carrellsyde, Mr. William Home of Gradane, and John Home of Houllatsone, his heirs and assignees, of the lands of Mersingtoun in the sheriffdom of Berwik, in feu farm blench. Precept dated 7th June 1610; witnesses, Thomas Home, natural son of Sir John Home of Coldingknowis, Nicol Cairncroce, son of William Cairncroce, Mr. Alexander Home, minister at the church of Ecles, Archibald Peirson, and Robert Alexander.

Sasine given by Robert Home in Ecles, bailie, to Mr. Alexander Home, attorney for foresaid grantees, 13th June 1610; witnesses, Thomas Hudsone in Lochtoun, John Hendersone there, Arthore Greiff in Coitschoirtrig, Robert Brounfeild, servitor to Mr. James Home, and others.

52. Charter by William Cairnecroce of Colmslie in favour of James Cairnecroce, his eldest son and heir apparent, and Janet Ker, his spouse, of the lands of Wouplaw, in terms of contract of marriage between the said William Cairnecroce and James Cairnecroce, his son, on the one part, and Sir Andrew Ker of Hetoun, Andrew Ker, his son and heir, and Janet Ker, his daughter, on the other; to be held of the granter's immediate superiors, paying yearly £3, 10s. Scots. Dated 15th May 1611; witnesses, Richard Cass, writer to the signet, Mr. Robert Cass, his son, John Leirmont, servitor to Richard Cass, Andrew *alias* Dand Ker, brother-german of Radolph Ker of Dalcoif.

53. Instrument of Sasine following on No. 52. Robert Hunter, in Williamlaw, bailie, 15th May 1611; witnesses, Robert Carnecors, son of William Carnecors of Colmslie, Archibald Pringle, his servitor, and James Dods in Woplaw.

54. Instrument of Sasine following on charter with precept, dated 17th November 1621, by James Cairncroce of Colmslie and Jonet Ker, his spouse, to Mr. John Michell, minister at the church of St. Andrew, London, of the lands of Eistsyde of Langley and Westersyde of Howsbyre. John Hendersone in Hagburne, bailie, and James Michell minister at Stow, attorney for his son, Mr. John Michell. 29th November 1621; witnesses, Mr. Robert Pringill in Langhauche, Thomas Lawsoun in Stow, and William Smyth, servitor of James Cairncroce.

55. Charter by James Cairnecroce of Colmslie, with consent of Jonet Ker, his spouse, in implement of a contract made between the foresaids and George Pringle of Torwodlie, for payment of 18,000 merks, of the lands of Allaneschaw, Wowplaw and Westsyde of Langley, excepting the croft called Sellarishauche,

heritably of the £5 lands of Freirschaw presently occupied by him and John Dowglass, his brother german, which they resigned for this regrant, paying yearly £5 12. 6 d.

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also of an annual rent of 200 merks from the lands of Westersyde of Housbyre, paying yearly for Allaneschaw 10 merks 3 shillings and 10 pence; for Wouplaw £3, 10 s.; for Westsyde of Langley £5 6 s. 8 d. and seven stones of butter or 6 s. 8 d. for each stone, with duplication at entry of heirs; and for the foresaid annual rent one penny Scots blench duty. Dated 30th and 31st May 1622; witnesses at Edinburgh, Robert Pringill, Andrew Crombie, John Baird, and Alexander Douglas, his servitors; at Cowmeslie, Robert Diksone of Overmaynis, and Alexander Wilkeson, notary, in Lawder.

56. Chapter by James Cairncroce of Colmeslie and Jonet Ker, his spouse (in implement of a contract dated 17th and 29th November 1621), for the sum of 5000 merks, in favour of Mr. John Mitchell, minister at the church of St. Andrew, London, of the lands of Eistsyde of Langley and Westersyde of Housbyre, with reservation to William Cairncroce, elder of Colmslie, of his life rent of Westersyde of Housbyre, and under reversion, paying yearly £16 Scots and twenty stones of butter or 6 s. 8 d. for each stone, with duplication at entry of heirs. Precept of sasine directed to Mr. James Urquhart as bailie. Charter dated 28th June and 20th August 1622,; witnesses at Edinburgh, John Baird, Andrew Crombie, servitors of Robert Pringill, writer, and Henry Osburne, notary; at Colmeslie, John Howatsone [in] Allanschawes, James Browne, schoolmaster in Cumislie and others.

57. Charter by Thomas, Earl of Melros, ratifying No. 55; the said subjects to be held *de me*. Dated 4th July 1622; witnesses, David Urquhart, David Makculloc, George Pringill and Archibald Ellot 'our' servitors.

58. Charter by James Cairnecorce of Colmeslie, narrating that in terms of her marriage contract Jonet Ker, his spouse, was infeft in conjunct fee or liferent in half of the lands of Selmure otherwise called Colmeslie, Allaneschawis and Wowplaw and the teinds thereof, which infeftments were declared null and void at the instance of Thomas, Earl of Melros, by Decreet of the Lords of Council and Session, and whereas these said lands have been disponed to the said James Cairnecorce, his heirs and assignees, by the said Earl of Melros for certain great sums of money, and the said Jonet Ker at the desire of her spouse gave her consent to the alienation and impignoration of the said lands of Allaneschawis and Wowplaw, which formerly pertained to her in conjunct fee or liferent, for certain sums of money to be raised by her spouse for payment of the aforesaid sums due to the earl, therefore the said Jonet Ker is hereby infeft in liferent in half of the lands of Selmure otherwise called Colmeslie, with the mill, etc., thereof, and also in an annual rent of 50 merks from the lands of Westersyde of Housbyre; to be held of the Earl of Melros for yearly payment for the half of Colmeslie of 50 stones of butter or 6 s. 8 d. for each stone, and for the annual rent from Westersyde of Housbyre one penny blench if asked. Dated 6th July 1622; witnesses, Robert Pringill, Andrew Crombie, John Baird, Robert Horsbruik, and Alexander Douglas, his servitors.

59. Instrument of Sasine following on No. 56. Dated 23rd August 1623; witnesses, William Pringill of Dewar, Andrew Gray of Catpair, Robert Hadden in Galascheills and James Mertein in Westhouses,

with duplication and service at courts and the other services which used to be rendered to the Abbot and convent. Dated Edinburgh, 4th July 1492; witnesses, Patrick

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60. Precept of *Clare Constat* by James Cairnecorce of Colmslie in favour of John Mitchell as heir to his father the late Mr. John Mitchell, minister at the church of St. Andrew, London, in the lands of Eistsyid of Langley and Westersyid of Housbyre in the lordship of Melros; which lands are to be held *de me in capite*, under reversion and with reservation to William Cairnecroce, elder of Colmslie, of his liferent of Westersyide of Housbyre. Precept of sasine directed to Andrew Gray of Catpair as bailie. Dated 28th February 1624; witnesses, William Ker, fiar of Zear, Mr. Thomas Ker his brother, James Wallace, notar in Melros, and Mr. Thomas Lowrie there.

61. Instrument of sasine following on No. 60. John Thomsone in Stow is attorney for John Mitchell. Dated 13th March 1624; witnesses, Thomas Lawsone, James Newtown, and James Beinsone, servitors of James Mitchell, minister at Stow.

62. Precept of *Clare Constat* by Thomas, Earl of Melros, in favour of John Mitchell, as in No. 60; the lands being held of 'us' *in capite*, as his immediate superiors, for yearly payment of £16 and 20 stones of butter or 6 s. 8 d. for each stone, with duplication. Dated 23rd April 1625; witnesses James Dalmahoy, Mark Hamilton and Mr. Adam Hepburne, 'our' servitors.

63. Charter by James Home of Castellaw, in implement of letters of obligation of the present date, to James Cairncroce of Colmslie, of nine husband lands, being part of the eighteen husband lands of the town and lands of Smelholme, in the town and territory of Smelholme and sheriffdom of Roxburgh, formerly occupied and possessed as follows: four by John, Thomas, and David Richartsones, Thomas Mylne and John Home, tenants there; and five by — Ormestoun, relict of the late Robert Ormestoun, Martin Home, his spouse, James Quhitsoune, John Wilsone and Robert Andersone; which nine husband lands were acquired by the granter from the late Sir John Home of Coldinknowes and Sir James Home of Quhitrig at two different times; with reservation of that part of the above lands called Dykcar. To be held *de me*, blench, for one penny yearly if asked. Dated 12th December 1629; witnesses, John Tuedie, writer in Edinburgh, Mr. George Trotter, and Patrick Boiswell.

64. Charter, same as No. 63, the said lands being held *de* ——, the immediate superiors of the granter, blench, for two pennies Scots, if asked. Date and witnesses same as preceding.

65. Copy of Retour in favour of William Cairncors of Cumislie as general heir of provision to the late Nicoll Cairncors, burgess of Edinburgh, his 'gudsyris brother,'[1] before William Sinclair bailie depute of the regality and barony of Brouchton and jury:—William Ker of Lynton, James Levingstoun of Jereswode, William Ker of Zair, John Erskine of Dryburt, John Purves, James Baillie in Dallkeythe, John Hume, son of the late Sir John Hume of Coldinknowis, Mark Hume, brother of the said John Hume, George Willsone, tailor burgess of Edinburgh, Charles Cairncors of Birkisneip, James Cairncors burgess of Edinburgh, Mr. Walter Bellenden, brother-german of Adam, Bishop of Dumblaine, John

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1 His grandfather was William Cairncors.

Cranstoun, Gawin Thomesoun, James Philp, John Scot, notary, and Quintin Bowstoun, burgess in Edinburgh. (f. 110.)

Achesone, elder, Patrick Hairt, skinner, and George Cairncors, litster burgess of the Canongate. Dated 22nd May 1630.

66. Instrument of sasine following on a charter of confirmation by James Cairncroce of Colmislie in favour of Jonet Ker, his spouse, of the Westside of Housbyre in liferent. George Lithgow, servitor of James Cairncroce, is attorney for Jonet Ker. Dated 17th May 1637; witnesses, Robert Ker in Sonderland, John Murray in Lindeine, James Gray in Sonderland, and John Blaik in Colmisliehill.

67. Charter by James Cairnecroce of Colmeslie, with consent of Jonet Ker, his spouse, Robert Cairnecroce his son, and James Pringill of Quhytbank for his own and their interests, in implement of a disposition and obligation in favour of John Fischer of Drygrange in liferent and William Fischer his son and his heirs in fee, of half of the lands of Selmure, otherwise called Colmeslie and the mill of Colmeslie, otherwise called Lie Bentmyln with astricted multures, etc., in said lordship, to be held of Thomas, now Earl of Hadingtoun, for yearly payment of 50 stones of butter or 6 s. 8 d. for each stone, with duplication on entry of heirs. Precept directed to Alexander Fischer in Clekmae as bailie. Charter dated 4th December and 31st January 1641 and 1642: witnesses, David Makcullo of Guidtries, James Lithgow, portioner of Ridpeth, John Sempill, writer to the Signet; and at Quhytbank Andrew Cairncros, son of James Cairncros, and Robert Pringill, brother of James Pringill.

68. Instrument of Sasine following on No. 67, dated 2nd February 1642; witnesses, William Fischer of Aldmelros, Patrick Aitkeine in Woulplaw, George Reidfuird, servitor of Michael Fischer, portioner of Dernik, and John Bell, miller.

69. Charter by James Cairncroce of Colmslie, with consent of Jonet Ker, his spouse, and James Pringill of Quhytbank, in implement of a contract, in favour of William Cairncroce of Auldmelrois, for the sum of 2000 merks Scots, of the lands of Wouplaw in said lordship, under redemption, to be held in feu farm of Thomas, Earl of Hadington, with payment of rents used and wont. Dated 2nd December 1643; witnesses, William Dumbar, servitor of Lord Wareistoun, James Allane and Henry Pitcairne, servitors of Robert Pringill, W.S.

70. Charter by James Cairncroce of Colmslie to William Cairncroce of Auldmelrois, of the lands of Wouplaw, as in No. 69; to be held *de me* in feu farm blench, for one penny Scots, if asked. Dated 2nd, 12th, and 13th December 1643; witnesses, at Edinburgh, same as in No. 69; at Quhytbank, Andrew Cairncroce, son of James Cairncroce, and Thomas Luikop, joiner in Melrois; at Colmslie, James Dunnett and John Clark, indwellers in Ersiltoun, and Andrew Cairncroce.

71. Charter granted by commissioners of Thomas, Earl of Hadingtoun, namely, Lord Charles Erskine, of Cambuskenneth, knight, Mr. George Wynrahame, of Libbertoun, James Murray, younger, merchant, burgess of Edinburgh, and David M'Culloc, of Goodtries, to James Carnecros of Colmeslie, his heirs and assignees, of half of the lands of Selmure, otherwise called Colmeslie, and mill of Colmeslie, otherwise called lie Bentmylne, with astricted

Note of Instrument of Sasine following thereupon, dated 8th July 1592, John Scot being notary. It is confirmed by the king on 9th October 1592. (f. 112.)

Charter to William Carthar in Cumislie and Margaret

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multures, etc., in said lordship, which lands formerly pertained to John Fischer in Drygrange, and William Fischer his son, and were resigned into the hands of the said commissioners of the Earl of Hadington in favour of and for infeftment of the said James Carnecros and his foresaids in the same; to be held as in No. 67. Precept directed to Thomas Lythgow, portioner of Ridpeth and Melrois, as bailie. Charter dated 15th August 1644; witnesses, James Broune, servitor of the Earl of Hadintoun, Hugh M'Cullo, servitor of David M'Cullo, and Robert Neill.

72. Instrument of Sasine, following on No. 71. Andrew Cairnecroce is attorney for his father, James Cairncroce. Dated 27th January 1645; witnesses, Hugh Bell, portioner in —— [charter worn away], William Bell, his brother-german, Andrew Ormestoune, in Eister Langlie, and John Edgar, officer in Melros.

73. Charter by James Cairnecroce of Colmeslie, with consent of, and by, Janet Ker his spouse, in implement of a contract, in favour of James Pringle of Whitebank, of the lands of Wouplaw in said lordship, under reversion, for the sum of 5300 merks Scots; to be held of John, Earl of Hadintoun, in feu farm, paying yearly £3 10s. Scots, with duplication at entry of heirs. Precept of sasine directed to James Meine, in Colmislie mylne, as bailie. Charter dated 22nd May 1649; witnesses, John Wilkie, writer to the signet, John Scott his servitor, and James Wilkie, king's gardener in the north garden at Halyrudhous.

74. Instrument of Sasine, following on a contract with precept of sasine therein, between James Cairncroce of Colmslie, with consent of Andrew his son, and James Pringle of Whytbank on the one part, and John Pringle of Cortilferrie on the other, whereby the said John Pringle is infeft in the lands of Wouplaw in said lordship, under reversion, by payment to him of 5000 merks Scots, and such back tack duties, extending yearly to £200, as may then be due. Contract dated 12th July 1652; witnesses, John Hendersone, chapman in Lidgertwode, and John Lytill in Colmislie. Sasine given by John Turner, merchant in Cortilferrey, bailie, 27th September 1652; witnesses, Alexander Huntar of Wrangum, Johne Bellenden, William Williamsone, servitor to Andrew Pringle in Hagburne, and Johne Home in Cortilferrie.

75. Instrument of Sasine, following on a heritable bond with precept of sasine therein, by Andrew Cairncroce of Westerlongley, in favour of Mr. John Scott of Longshaw, his heirs and assignees, of an annual rent of £138 Scots, or annual rent corresponding to the principal sum of £2300 Scots, to be uplifted furth of the lands, town and *lie steid* of Wouplaw in said lordship, occupied by Mr. John himself, to be held for one penny Scots of blench duty. Sasine given by James Moffett, elder, portioner of Thriepwood, as bailie, to Andrew Kenneddie, portioner of Darnik, as attorney for Mr. John Scott, 13th October 1668; witnesses, William Gibsone, portioner of Th[r]ipwood, Peter Moffit, son of the late Archbald, portioner there, James Smyth there, and Peter Knox, herd in Colmisliehill.

Moffet, his spouse, of half of the lands of Laudopemure with the teinds, paying yearly 27½ stones of butter or 6 s. 8 d. for each stone and three loads of turf or 40 d. for each at the option of the payer, as the old rent, with 40 d. of augmentation, duplication at entry of heirs, service at three head courts, etc. Dated 20th March 1567; witnesses, Robert Balfour, George Dikison and Charles Cairnecorce. Signed by the same persons as the last, and by David Hoppringill, Thomas Meyn and John Feurros. This charter is confirmed by the King on 4th March 1583-84.[1]
(f. 114.)

Charter to John Haliburtoun in Murislaw in liferent and George Haliburtoun, his son and heir apparent and the lawful heirs male of his body, whom failing, Andrew Haliburtoun, his brother german, and his lawful heirs male, whom failing, Nicolas Haliburtoun, his brother german, and his lawful heirs male, whom failing, the lawful and nearest heirs male of the said John Haliburton whomsoever heritably, of the lands of Murislaw now occupied by the said John Haliburton, paying yearly £12 6 s. 8 d. which includes the old rent of £10, with the sum of 40 s. for grassums and other customary services, 6 s. 8 d. of augmentation, with duplication, and service at the three head courts at Melrose. Dated 25th April 1555. Signed by the Commendator, John Watsone, 'superriour,' John Fomiroise [*sic*], Barnard Bowstoun, William Philp, Richard Patersone, John Hogart. Thomas Meyne, David Hoppringill and Thomas Mershell. (f. 115.)

Precept of Sasine following thereupon directed to Andrew Dowglas of Tympyndane as bailie and dated as the last. (f. 117.)

Instrument of Sasine following thereon, dated 20th May 1557, given by the said Andrew Dowglass as bailie; witnesses, Andrew Dowglas of Tinpindane, William Maben in Maxtoun, Adam Haliburtoun in Ruderfuird, David Hoppringill, monk of the monastery, Andrew Richardson of

[1] See *Reg. Mag. Sig.*, vol. 1580-93, No. 679.

Maxtoun and William Mabene, elder, in Maxtoun. This charter is confirmed by the king on 10th June 1598.
(f. 117.)

Charter to John Haliburton of Muirehouslaw of the £5 lands of Frierschaw formerly belonging to Andrew Dowglas of Frierschaw and George Dowglas, his son, and which have fallen to the Commendator through their alienation of the same without the granter's consent, to be held in feu farm for the yearly payment of £5, with 10 s. of augmentation, duplication at entry of heirs, and service at three head courts at Melrose. Dated Dalkeithe, 24th November 1606; witnesses, John Hunter, notary in Melrose, James Strachauchen and James Melvell, servitors to the granter, William Mabane in Melrose and Mark Rutherfurde in Over Nesbet. (f. 118.)

Instrument of Sasine following thereupon, dated 17th December 1606, given by George Rutherfuird of Fairnitoun as bailie; witnesses, Mark Rutherfuird in Over Nesbet, James Mather in Muirhouslaw and William Haliburtoun there, John Hunter of the diocese of Glasgow being notary.[1] (f. 119.)

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[1] As this Chartulary contains no Feu Charter of Gattonside or Bridgend, the following is a translation of a Charter supplied by Mr. Roberts:—Copy Charter by King James the Sixth confirming a charter granted by James Douglas, Commendator of Melrose, and heritable feuar of the town and lands underwritten, with consent of Mary Ker, his spouse, liferentrix thereof, in favour of Thomas Darling, elder in Westhouss, Patrick Govane there, Thomas Darling, lawful son of Barthelomew Darling, sometime in Westhouse, John Carnecorss in Gatounside, Robert Clerk there, Mark Mertoune in Westhoussis, William Gottersoun there, John Thomsoun, younger in Gawtounside, John Carnecorse, elder there, Nicol Boustoun there, William Blakie there, Thomas Bouston, elder there, Thomas Schulemure there, John Halywall there, Thomas Lethame there, Quintin Bartane there, Adam Darling in Westhouss, Isobel Cuik in Gawtounside, John Myldis there, William Mene there, William Brown there, David Wricht there, John Donet there, Thomas Gawdie there, William Haliewall, elder there, Quintin Scott there, William Haliewall, younger there, Patrick Haliewall there Thomas Bouston, younger there, John Bouston there, John Thomsoun, elder there, William Trumble in Westhoussis, Robert Darling there, John Tait in Gawtounside, John Wricht there, Robert Boustoun there, George Holme there, John Gilry there, James Wricht there, Richard Wricht there, William Hoy there, James Lethame there, and their heirs and assignees whomsoever, of all and whole the said James Douglas and his spouse their towns and lands of Gaw-

Charter by Andrew, Abbot of Melrose, to John Kirkpatrik of Alisland of the £4 lands of Freirkers, with the fishing and mill thereof called the Grangemilne, in the parish of Dunniskore and shire of Drumfreis, with the astricted multures of the £36 lands of Dalgonar, Killelago, Braschevalay, Pundland, Nether Breidwell, Dempstertoun, Over and Nether Lagan, Over and Nether Duniskore, Riddynnis, Edgarstoun, Mulliganstoun, Culroy and Ferdynnovellhill, in the parish and shire aforesaid, and of the lands of Auchinchreith, Brunskarth and Darguvell in the

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tounside and Westhoussis with the teind sheaves thereof never separated from the stock, and all their pertinents, but reserving to the granters the mills of Westhoussis and the mill croft adjacent thereto with the meadows called Starkilmedo and Baidheuchmedow, the lands called the Freiris landis of Gatounsyde, four acres of land of Gatounsyde, two acres of land belonging to the deceased John Cowper in Westhoussis, and presently occupied by Robert Ormistoun in Westhoussis, reserving also the fishing upon the water of Tweed with the ferry 'cobillis' possessed by the said Robert, reserving also the piece of land occupied by Nicol Merser in Dernik called the Baichcheil Croft, and two acres of land belonging to James Scott in Selkirk, presently occupied by Isobel Cuik in Gatounside, with the teind sheaves and pertinents thereof, and this to each of the foresaid tenants and occupiers in proportion as they presently occupy the same, viz., Thomas Darling half an acre of the town and lands of Westhoussis of Pendikland, Patrick Govane half an acre of the said Pendicleland, Thomas Darling, younger, half an acre of the Pendicleland, John Carnecorss an acre of the town and lands of Gatounside, Bartholomew Freir an acre of the Feymaisterland of the foresaid lands of Westhoussis, Bernard Wricht an acre of the Feymaisterland, Bernard Boustoun two acres of the town and lands of Gatounside, Robert Clerk two acres of the same, Alexander Clerk two acres of the same, Mark Mertoun two acres of the town and lands of Westhoussis, and Feymaister land, William Gothersoun four acres of the town and lands of Westhoussis and Feymaisterland, John Thomsoun, younger, four acres of the town and lands of Gatounside, Nicol Boustoun four acres of the same, William Blaikie four acres of the same, Thomas Boustoun, elder, four acres of the same, Thomas Schulemure four acres of the same, John Halywall four acres of the same, Thomas Lethame four acres of the same, Quintin Bartane four acres of the same, Adam Derling four acres of the same, with the lands called the Rudeland, Isobel Cuik four acres of the same, John Myldis four acres of the same, and an acre of land of Pendicleland lying in the Orchyeard, William Mene four acres of the same, and an acre of the Pendicleland, William Brown four acres of the same, and an acre of the Feymaisterland, David Wricht four acres of the same, and an acre and a half of Pendicleland, and half an acre of the Feymaisterland, John Donet six acres of the town and lands of Gatounside, Thomas Gawdie six acres of the same, William Haliewallis six acres of the same, Quintin Scott six acres of the same, William Haliewall, younger, two acres of the town and lands of Gatounside, and five acres of the Feymaisterland, Patrick Halywall eight acres of the

foresaid parish, with the services of the tenants, to be held in feu farm for the yearly payment of 40 merks, with duplication. Dated 5th April 1536. Signed by the Abbot and by Richard Patersoun, sub-prior, Adam Hangetsyid, Robert Liddell, Thomas Brounfeild, Thomas Merser, James Lythgow, John Brounfeild, David Cawart, Nicolas Wilzeamsoun, Ralph Hendersoun, Alexander Ballendene, John Hogart, Mungo Purwess, John Watsoun, Robert Eulyng, James Elder, John Andersone, Robert Hoye, Thomas Drydone, William Philp, Richard Chatto and Thomas Nycht, John Sonnerroise [*sic*], John Liddell, Thomas Meyne, Thomas Smyth, David Hoppringill and Bernard Bowstoun.

Note of Precept following thereupon, dated 6th April

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town and lands of Gatounside, Thomas Boustoun, younger, eight acres of the same, John Boustoun eight acres of the same, John Thomsoun, elder, eight acres of the same, William Turnebull eight acres of the same, and one and a half acres of the Feymaisterland, Robert Darling nine acres of the town and lands of Gatounside, and one acre one rood of the Pendicleland, and two acres of the Feymaisterland, John Tait eight acres of the town and lands of Gatounside, and the two acres and a half of Pendicleland called Orchyeardland, John Wricht ten acres of the town and lands of Gatounside, Robert Boustoun eight acres of the town and lands of Gatounside, and three acres of the Feymaisterland, George Holme ten acres of the town and lands of Gatounside, John Gilry eight acres of the same, one and a half acres of Pendicleland, and half an acre of Feymaisterland, James Wricht twelve acres of the town and lands of Gatounside, and a croft of land on the east side of his tenement, William Hoy sixteen acres of the town and lands of Gatounside, and two acres of the Feymaisterland, Richard Wricht sixteen acres of the town and lands of Gatounside, and the croft called Smyddiecroft, James Lethame sixteen acres of the town and lands of Gatounside: Holding of the granters and their successors in feu-farm and heritage, which charter gives the boundaries of Gatounside and Westhoussis as follows:—'Begynnand at the fuird callit the Turf fuird in Tweed merchand with the landis of Drygrange on the eist and fra thence ascendand up the wattir of Tweed on the south syde of the Brume know quhilk perteins to the saidis landis of Galtounsyde to the wattir of Elwand quhair it rins in Tweed and fra Elwand mouth ascendand up the samyn to the mouth of Blakburne quhair it enteris in Elwand and frae thence up the said burne called Blackburne to the syk end callit Syller syk quhilk rynns in Blackburne and fra thence ascendand to the eist as Syller syk gais to the middis of Scabbetraburcht Moss and throw the middis of the said moss liniallie eist to the head of the burn called Faburne and fra thence discendand the samyn to the nethir Fuird of the said burne callit Lurdane Hole and fra thence ascendand south merchand with the landis of Drygrange on the eist as the hie streit gais to the Drycleughhead and fra thence

1536, and sasine thereupon dated 4th May 1536, John Olipher being notary. (f. 120.)

Grant by Andrew, Abbot of Melrose, to John Kirkpatrik of Alisland and his heirs of the office of bailie over the £6 lands of Dalgonar, Killelago, Breschevalay, Over and Nether Beirdwell, Dempstartoun, Over and Nether Lag [*sic*], Over and Nether Dunskorie, Riddynnis, Edgarstoun, Mulliganstoun, Culroy and Ferdymowellhill, in the parish of Dunskore and shire of Dumfreis, and lands of Auchinchreiche, Brunskathe and Dargavell in the parish of Drumfreis. Dated 4th April 1536. There is a precept of sasine dated 6th April and instrument of sasine dated 4th May following thereupon. (f. 122.)

Precept of *Clare Constat,* in favour of Thomas Kirkpatrik as heir of the deceased John Kirkpatrik of Alisland, his

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descendand the said cleugh to ane pairt callit the Hauch yet and fra thence descendand to the auld dyk steid standis to the foresaid fuird in Tweid callit the Turf Fuird: Paying therefore yearly . . .' The charter is dated at Melrose, 28th February 1590; witnesses, Robert Scott and Patrick Cranstoun, servitors to the said commendator, Mr. John Knox, minister at Melrose, John Scott, notary public, and James Blaikie in Gallinbrig. The charter of confirmation is dated at Holyroodhouse, 13th May 1591.

The following Charter of the lands of Bridgend by Secretary Maitland has been contributed by Mr. Curle:—

'Feu-Charter by William Maitland of Lethingtoun, Principal Secretary of State to Mary, Queen of Scots, and feuar of the town and lands aftermentioned, to Robert Rannalsoun in Brigend, and his heirs and assignees, of those eight acres of land of the town and lands of Brigend with houses, yards, and teind-sheaves thereof, which he now occupies, lying in the lordship and regality of Melrose, and sheriffdom of Roxburgh; to be held of the granter and his heirs and successors in feufarm, fee and heritage, for yearly payment of six firlots of barley and three bolls of oats, Melrose measure, being 13 pecks to the boll, payable at Yule and Candlemas, and the sum of 20 s. Scots at the entry of each heir; with suit at the granter's courts held at Darnyk, and personal service to the granter like as they were in use to render to the abbot and convent of Melrose in times bypast. The subjects may not be alienated in whole or in part without the consent of the granter or his successors; and failing payment of the feu-farm within ten months after the term of Candlemas, the lease shall become void. Precept is directed to Sir William Cranstoun, vicar of Ligertwade, and Thomas Raith, to give sasine; and the Charter is dated at Edinburgh, 5th March 1566-67; witnesses, the said Sir William Cranstoun, Mr. Thomas Gardin, William Somervile, vicar of Kirkbeyn, David Balfour of Powis, and Cuthbert Hendirson, notary public. (Signed) W. MAITLAND.' The granter's seal is attached, entire but somewhat defaced.

father, in the £4 lands of Friercarse with pasture and mill thereof called Grangmylne, in the parish and shire of Drumfreis, with the astricted multures of the £36 lands named in the preceding charter. Dated Melrose, 8th —— 1553. Signed by the Commendator and convent. (f. 124.)

Instrument of Sasine following thereupon, dated 4th June 1553, given by James Neilson as bailie; witnesses, Thomas Kirkpatrik in Alisland, William Muirheid there, Robert Tait, Roger Kirkpatrik, William Kirkpatrik, George Muire and John Neilsone, Herbert Andersone, clerk of the diocese of Glasgow being notary. (f. 125.)

Precept of *Clare Constat,* in favour of Thomas Kirkpatrik as son and heir of the deceased John Kirkpatrik of Alisland in the office of bailie of the £36 lands of Dalgonour, Killelago and others given in the previous grant of bailiary. Dated ——, 1553. (f. 125.)

Instrument of Sasine following thereupon, dated 4th June 1553, given by James Neilson, witnesses and notary as in the last. (f. 126.)

Precept of *Clare Constat* by the Commendator and Iconomus, as administrator for him during his minority, in favour of John Kirkpatrik now of Alisland as son and heir of the deceased Thomas Kirkpatrik of Alisland, in the £4 lands of Frierkerse, with the fishing, and the mill thereof called Grangmilne, lying in the parish of Dunscoir, with the astricted multures of the £36 lands of Dalgonour, Killelago, etc. Dated Lynlythegow, 7th December 1585; witnesses, Alexander Coluill, John Forrest and James Prymeroise, servitors to the granter. (f. 127.)

Note of Sasine following thereupon dated 28th November 1587, John Makghee, being notary. (f. 128.)

Precept of *Clare Constat,* in favour of John Kirkpatrik now of Alisland as son and heir of the deceased Thomas Kirkpatrik of Alisland in the office of bailie of the £36 lands of Dalgonour, etc. Dated Lynlythgow, 7th December 1585; witnesses, Alexander Colwill, Bartholomew

Kello, John Forrest and James Pryemroise, notary, servitors to the granter. (f. 128.)

Note of Sasine following thereupon, dated 28th November 1587, John Makghe being notary. (f. 128.)

[The above Precept and the note of Sasine are repeated in the Register.]

Charter to Thomas Kirkpatrik of Friercars of 'our' 24 s. 6 d. lands, of which a 6 s. 3 d. land in Edzarstoun is occupied by John Mureheid, a 6 s. 3 d. land in McCubbynstoun by Robert ——, a 5 s. land in Mauchanestoun Riddynnis by Roger Hayning, and a 7 s. land in Fardingwell by Andrew Mureheid, lying in the parish of Dunscoir, to be held for the yearly payment of 39 s. 3 d. with 16 d. in augmentation, being together 40 s. 7 d., with duplication at entry of heirs. Dated Melrose —— 1565. Signed by the Commendator and by John Watsone, subprior, John Watsone, younger, George Weir, James Ramsay, Barnard Bowstoun, John Fourroise, Thomas Hallywell and Alexander Ballentyn. (f. 129.)

Instrument of Sasine following thereupon, dated 30th August 1565, given by Thomas Kirkpatrik in Alisland as bailie; witnesses, Richard Kirkpatrik in Friercars, Andrew Mureheid in Ferdynvell, and Gilbert Grier in Amwlliganstoun, Harbert Andersone, clerk of the diocese of Glasgow being notary. (f. 130.)

Precept of *Clare Constat,* in favour of John Kirkpatrik, now of Alisland, as heir to his father the deceased Thomas Kirkpatrik of Alisland in the 24 s. 6 d. lands, of which a 6 s. 3 d. land in Edzerstoun is occupied by Cuthbert Milligan, and a 5 s. land in Mauchanestoun Riddynnis by Cuthbert Fyt, and a 7 s. land in Ferdingwell by Aymer Irland, lying in the parish of Dunscoir. Dated Lynlythgow, 7th December 1585; witnesses, Alexander Colvill, Bartholomew Kello, John Forrest and James Prymroise, notary public, servitors to the Iconimus. (f. 132.)

Instrument of Sasine following thereupon, dated 28th November 1587, given by Roger Kirkpatrik in Frier-

cars as bailie; witnesses, Roger Kirkpatrik of Auldgirth, Thomas Greir, brother of Roger Greir of Bardannoch, Robert Kirkpatrik of Rokkelheid and John Muire, son of George Mure in Halmyre, John Makghee being notary. (f. 133.)

Instrument of Sasine, dated 19th October 1577, narrating that John Lauchlesone, feuar of the 7 s. 6 d. lands of Mekill Dempstartoun in the parish of Dunscoir and barony of Monkland, gave sasine to Thomas Kirkpatrik of Alisland of these lands in fulfilment of a contract made between them at Drumfreis on 14th October. Witnesses John Kirkpatrik, son of the said Thomas Kirkpatrick, John Gowrlaw in Nether Lagan, Gilbert McKynway, David Morron in Bischopeforrest, John Welsche in Swayd, William Lauchleson and John Grierson in Dempstartoun, Harbert Anderson, clerk of the diocess of Glasgow, being notary. (f. 133.)

Contract of Excambion, dated at the Friercarse, 22nd January 1601, between John Kirkpatrik of Aleisland as feuar of the 7 s. land of Ferdingwell, and Oswald Smythe in Kilroy, feuar of the half merk land of Nether Lagan, whereby the said John Kirkpatrik as heir of the deceased Thomas Kirkpatrik, his father, exchanges the said land of Ferdingwoll in the parish of Dunscoir for the half merk land of Nether Laggane sometime occupied by the deceased John Jacksone and John Hardy in said parish, and they oblige themselves to infeft each other in the lands exchanged, the said Oswald Smythe and his heirs paying yearly to the said John Kirkpatrick and his heirs 39 s. 6 d. for the teinds, etc.; witnesses, Thomas Kirkpatrick, father's brother to the said John, and John Hunter in Auchinbrek, Cuthbert Greir in Drumfreise, and Robert Greir in Friercarse. Signed by two notaries, Harbert Cuninghame and Robert Cuninghame on behalf of the said Oswald Smythe. (f. 134.)

Instrument of Sasine, dated 23rd January 1601, of John Kirkpatrik in the half merk land of Nether Laggan in terms of the preceding contract of excambion; witnesses, John

Hunter in Auchinbrek, Cuthbert Greir in Linburne, Robert Greir in Over Laggan and —— Makfadzeane in Lagan. (f. 136.)

Instrument of Sasine, dated 3rd June 1656, of John Kirkpatrik of Aleisland in the merk land of the lands of Bischopforrest called Makknachstoun occupied by James Currour, John Currour and Margaret Wilson, within the parish of Kirkpatrik Irnegray in the stewartry of Kirkcudbright, in terms of disposition by John Turnour of Airdwoll. Dated Drumfreis, 2nd June; witnesses Robert Greirsone, son of the deceased John Griersone in Crochemoir, William Welsche in Reidskar, James Currour in Makknaichstoun and John Portar, Harbert Cuninghame of the diocese of Glasgow being notary. (f. 137.)

Charter to James Kirkpatrik, son of Robert Kirkpatrik of Brecho, of the 10 s. lands of McChenestoun in the parish of Dunscoir, presently occupied by the said James Kirkpatrick, paying yearly 16 s. as the old rental, with 6 d. of augmentation, and doubling the same at entry of heirs. Dated —— 1565. Signed by the Commendator and John Watsone 'superior,' George Weir, Bernard Bowstoun, John Forroise, Alexander Ballantyne, James Ramsay, Thomas Hallywell and John Watsoun, younger. (f. 138.)

Instrument of Sasine following thereupon, dated 30th August 1565, given by Thomas Kirkpatrik in Aleisland as bailie; witnesses, Thomas Kirkpatrik of Friercarse, Richard Kirkpatrik, his son, Gilbert Griersone in Amulyganstoun, and Andrew Muirheid in Ferdingwell. (f. 139.)

Charter to John Sandersone in Yondir Barchenallay of the 5 s. lands of Yonder Barchenallay now occupied by Margaret Greir, in the shire of Drumfreis, paying yearly 8 s. as the old rent, and 4 d. of augmentation, with duplication at entry of heirs. Dated —— 1565. Signed by the Commendator, John Fourrois, Thomas Halliewell, Alexander Ballentyne, John Watsoun, minor, George Weir, James Ramsay and Bernard Bowstoun. (f. 140.)

Instrument of Sasine following thereupon, dated 30th

August 1565, given by Thomas Kirkpatrik of Aleisland as bailie; witnesses, Thomas Kirkpatrik of Friercarse, Richard Kirkpatrik, his son, Gilbert Greirsone in Amwliganstoun, and Andrew Muirheid in Fardynwall, Harbert Andersone of the diocese of Glasgow being notary.
(f. 141.)

Instrument of Sasine, dated 16th August 1565, given by John Kirkauche of Sondaywoll, as bailie of Michael, Commendator of Melrose, to John Greir, son of Gilbert Greir in Dempstartoun of the 6 s. 3 d. lands of Dempstartoun which the said John Greir now occupies, in the parish of Dunscoir, held in terms of charter granted 28th July 1565. Witnesses to the sasine were William Makfadyeane, John Fute, Gilbert McKynnay and Oswald Portar, John Lauder of the diocese of Glasgow being notary.
(f. 142.)

Instrument of Sasine, dated 8th November 1565, given by John Kirkaucht of Sondaywell, as bailie of the Commendator, to John Greir in Yonder Barschynvallay of the 5 s. lands of Yonder Barschynvollay now occupied by the said John Greir, in the parish of Dunscoir, held in terms of charter, dated 25th July 1565. Witnesses to the sasine were William Makfadyeane in Breirdwell, Edward Makkynnay and John Makfadyeane, John Lauder being notary. (f. 143.)

Crown Charter by King James VI. to John Kirkpatrik of Alisland of the lands called Yonder Baschewallay, etc., dated 21st February 1607.[1] (f. 144.)

Charter to John Fute in Ferdindonane of the 6 s. 3 d. lands of Ferdindonane *alias* Edzarstoun presently occupied by the said John Fute, in the parish of Dunscoir, paying yearly 10 s. as the old rent, and 6 d. of augmentation, with duplication at entry of heirs. Dated 27th July 1565. Signed by the Commendator and several members of the convent. This charter is confirmed by the king at Holyrood House, 31st December 1583.[1] (f. 147.)

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[1] See *Reg. Mag. Sig.*, vol. 1593-1608, No. 1862.

Instrument of Sasine following thereupon, dated 16th August 1565, given by John Kirkauche of Soundaywell as bailie; witnesses, John Baty, prebendary of Lincloudane, Oswald Portar, messenger, William McFadzeane and William Smyth in Kellestoun, John Lauder of the diocese of Glasgow being notary. (f. 149.)

Instrument of Sasine, dated 24th September 1590, in favour of Cuthbert Fute in Ferdindonane *alias* Edzarstoun, as son and heir of the deceased John Fute there, in the 6 s. 3 d. lands of Ferdindonane *alias* Edzarstoun, proceeding upon a Crown precept of sasine, dated at Edinburgh 7th August 1590. Sasine was given by Andrew Cunninghame, one of the sheriff deputes of Drumfreis, to the said Cuthbert Fute; witnesses, John Merschaill, burgess of Drumfreis, Cuthbert Fuite, elder, John Fute, William Edzar in Edzarston and John McCheyn in McCheynstoun, Harbert Cunninghame being notary. (f. 150.)

Crown Charter of confirmation by King James VI. of a charter to John Edzar in Edzarstoun of the 6 s. 3 d. lands of Edzarstoun now occupied by the said John Edzar, within the parish of Dunscoir, paying yearly 10 s., and 16 d. of augmentation, with duplication at entry of heirs. Dated 26th July 1565. Confirmation dated Holyrood House, 31st December 1583. (f. 151.)

Instrument of Sasine, dated 16th August 1565, following upon the charter above confirmed, given by John Kirkauch of Soundaywell as bailie; witnesses, John Baty, prebendary of Lincloudane, Oswald Portar, John Smyth in Ferdingwell, John Lauder being notary. (f. 154.)

Crown Precept from Chancery narrating the service of William Edzair as heir of the deceased John Edzair in Edzaristoun, his father, in the 6 s. 3 d. lands of Edzaristoun, in the parish of Dunscoir, dated Edinburgh, 7th August 1590. (f. 154.)

Instrument of Sasine following thereupon, dated 24th September 1590, given by Andrew Cunninghame, sheriff depute of Drumfreis; witnesses, John Merscheall, burgess

of Drumfreis, Gilbert McKynnay in Edzairstoun, Cuthbert Fute, elder, Cuthbert Fute, younger, John Fute, his brother, and John Makcheyn in McCheynstoun, Herbert Cunningham being notary. (f. 155.)

Charter by King James VI. to Roger Kirkpatrik, burgess of Drumfreis, for good service rendered to the king's progenitors, of the 12 s. 6 d. lands of Edzertoun occupied by the deceased Gilbert McKynnay, William Edzar and Cuthbert Fute, younger, in the parish of Dunscoir, which lands formerly belonged to the Commendator, but now to the Crown by the act of annexation of church lands, to be held in feu farm for the yearly payment of 22 s. 8 d. as the old rent and 16 d. of augmentation, with duplication at entry of heirs; dated Holyrood House, 26th March 1595.[1] (f. 156.)

Crown Precept of Sasine following thereupon, of the same date. (f. 157.)

Instrument of Sasine following thereupon, dated 13th May 1595, given by William Edzar in Edzartoun; witnesses, Cuthbert Fute, younger, Cuthbert Fute, elder, John Amiligane and Robert McKinnell in Drumfreis, Cuthbert Cunninghame being notary. (f. 158.)

Crown Charter by King James VI. narrating that the predecessors of John Greirsoun, natural son of the deceased Roger Greirsoun in Amiligantoun, were old native tenants of the merk land of Amiligantoun *alias* Ferdindaunblaine, which were enjoyed by the said deceased Roger for these many years past, and therefore granting and confirming to the said John Greirsoun and the lawful heirs of his body, whom failing, the heirs whomsoever of the said deceased Roger, the said merk land of Amiligantoun *alias* Ferdindaunblaine, in the parish of Dunscoir, half of which merk land was occupied by the deceased Gilbert Greirson, and the other half by the deceased John Greir and Elizabeth McKubene, his spouse, and afterwards by the said deceased Roger Greirsoun; which entire merk land formerly

[1] See *Reg. Mag. Sig.*, vol. 1593-1608, No. 258.

belonging to the Abbacy of Melrose now belongs to the Crown by the act of annexation; paying yearly 24 s. as the old rent, and 32 d. of augmentation, with duplication at entry of heirs. Dated Edinburgh, 17th June 1606.[1] (f. 159.)

Crown Precept of Sasine following thereupon, dated 16th [*sic*] June 1606. (f. 161.)

Instrument of Sasine following thereupon, dated 30th April 1607, given by Robert Cunninghame, burgess of Drumfreis, as bailie; witnesses, John Greirsoun in Tounfuit, Herbert McKubbene, Herbert McKynnay in Kirkland, and Roger Cunninghame in Drumfreis, Herbert Cunninghame being notary. (f. 162.)

Crown Charter by King James VI. to Roger Hiddilstoun, sister's son of the deceased Robert McCubbin, as 'kindlie' tenant of the 6 s. 3 d. lands of Fardinmacrary called McCubintoun formerly occupied by the said Robert McKubbin, in the parish of Dunscoir, formerly belonging to the Abbacy of Melrose and now to the Crown, to be held for yearly payment of 10 s. as the old rent, and 12 d. of augmentation, with duplication at entry of heirs; dated Edinburgh, 5th April 1607.[2] (f. 163.)

Crown Precept of Sasine following thereupon, dated 4th April 1607. (f. 165.)

Instrument of Sasine following thereupon, dated 29th June 1610, given by Robert Kirkpatrik, burgess of Drumfreis; witnesses, John Hiddilstoun at Grangemilne, Robert McCubbene in Dunscoir, John Hawien there, and John McCubbin, son of the said Robert, Herbert Cuninghame being notary. (f. 165.)

Charter by James Dowglas, Commendator of Melrose, with consent of Dame Marie Ker, his spouse, to Robert Ormestoun in Westhous, as kindly tenant and possessor of the mill of West Houses with the croft thereto adjoining and astricted multures of the lands of Galtounsyd and

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[1] See *Reg. Mag. Sig.*, No. 1757.
[2] *Ibid.*, No. 1889. Dated April 4th.

Westhouses, also the fishing of the water of Tweed between Newsteidmylne and the ford called Gallowmouthe, with the ferry boats, cobles and fishing boats upon the said water within the foresaid bounds, and sole liberty of using the same for the transport of men and beasts on the said water from the Newsteidmylne to the Gallowmouthe, including salmon and other fishings between the said boundaries, also the meadows of Keddieheuche, Over and Nether, and Stokholmedow, and two acres of land of the Feemaisteris land commonly called Cowmerrisland, likewise eight acres of the lands of Galtounsyd and the Freirisland thereof with the mansion or place in Westhouses with pertinents, etc., presently occupied by the said Robert Ormestoun, lying in the town and territory of Galtounsyd and Westhouses, to be held in feu farm for the yearly payment for the mill, etc., of eight bolls of barley and ten bolls of oatmeal of the girnele met of Melrose; for the fishing and ferry and fishing boats, 40 fishes, viz. kippers, 'rownaldis' and salmon at the customary terms; for the meadow of Stokhallmedow and Keddieheuche 10 s.; for the two acres of Feemaisteris land 15 s. as the old rent and — d. of augmentation; and for the eight acres of Galtounsyd seven bolls of barley and two firlots of oatmeal, Melrose measure, with three long carriages, three kain fowls and three loads of peats; and for the piece of land of Freirsland 15 s. 8 d.; with duplication at entry of heirs; dated Melrose, 1st September 1591; witnesses, Mr. John Knox, minister at Melrose, Patrick Giffen in Westhouses and John Scot, notary. (f. 166.)

Instrument of Sasine following thereupon, dated 22nd January 1591, given by Robert Ker in Melrose as bailie; witnesses, Patrick Kene, burgess of Selkirk, Robert Martoun in Westhouses, Mark Martoun there, Thomas Mar in Newsteid, Walter Eleis in Daynzeltoun and Alexander Young, notary in Melrose, William Bryddin being notary. (f. 169.)

Letter of Pension to John Mathesoun for his lifetime of £44 to be uplifted from the silver duty of the lands of

Drygrange. Dated Newhouse, 4th May 1598; witnesses, Archibald Douglas, brother german to the granter, Robert Ellot, son of William Ellot of Fawinesche, and James Philp, servitors to the granter. (f. 171.)

Extract of a Decreet by the Lords of Council, dated 14th July 1601, in an action at the instance of John Matheson, servitor to James, Commendator of Melrose, against the said Commendator, William Lynlythgow of Drygrange, Alexander, Master of Elphinston, Mr. Thomas Hamiltoun of Drumcarne and Mr. John Prestoun of Fentounbarneis for the King's interest, narrating the immediately preceding pension of £44 granted to him from the lands of Drygrange and complaining that the said William Lynlythgow and other occupiers of the lands of Drygrange refuse payment thereof. The pursuer appearing by John Haliday, his procurator, and the defenders not compearing, the Lords ordain the said William Lynlythgow to make payment of the said pension yearly to the pursuer. The extract is signed by John Skene, Clerk Register. (f. 171.)

Assignation by John Mathesoun, servitor to the Commendator, to Mr. John Home of Swanescheillis of the foresaid yearly pension of £44 and decreet of the Lords of Council in his favour thereanent; dated Edinburgh, 7th June 1613; witnesses, Sir James Dowglas of Spott, knight, Richard Cass, writer, Mr. James Broun, John Leirmonthe and James Philp, servants to the said Richard Cass. (f. 172.)

Feu-Charter by Andrew, Abbot of Melrose, to Thomas Kennedie of Knokreoche and Janet Corre, his spouse, in liferent, and Thomas Kennedie, his second son, in fee, who have paid to him £80, of the £3 13 s. 6 d. lands of Plaitcorvye, lying in the earldom of Carrik and shire of Ayr, of which lands Marion Kennedie presently occupies 20 s. and 20 d.; William Makjonet, 5 s. 10 d.; William McIlmwn, 16 s. 8 d.; Janet Wallace, 7 s. 4 d.; and Donald Thomesoun 22 s.; for the yearly payment of £7 7 s. with service at his courts in Carrik and other ser-

vices, with duplication at entry of heirs. Dated Melrose, 21st December 1535. (f. 173.)

Feu-Charter by Andrew, Abbot of Melrose, to Thomas Kennedie in Knockreoche and Janet Corre, his spouse, who have paid him £40 of the £5 lands of Grange, the £4 ands called Monkwood, the £2 lands of Semorway, the half merk land called Beyond the Muir, and the mill of Corway with the mill lands and astricted multures of the lands of Monkland in Carrik, all lying in the bailiary of Carrik, with the teinds, of which lands, etc., the said Thomas Kennedy and Janet Corrie, his spouse, have a tack for nineteen years from Whitsunday 1528, for the yearly payment of 67 merks, with attendance at his courts in Carrik, and other services, and with duplication at the entry of heirs. Dated Melrose, 21st December 1545. (f. 175.)

Crown Charter by King James VI. confirming charter to Oswald Portar of the 4 s. lands of Ferdinwell now occupied by himself, in the parish of Dunscoir, paying yearly 6 s. 5 d. as the old rent and 7 d. of augmentation, with duplication at the entry of heirs. The charter contains precept of sasine directed to John Kirkaucht of Soundaywell, and is dated Melrose, 27th July 1565. The charter of confirmation is dated Holyrood House, 20th March 1581.[1] There is a note of sasine upon the said charter dated 16th August 1565. (f. 177.)

Notarial Instrument, dated 19th October 1592, narrating that Oswald Portar at the Kirk of Dunscoir went to the 4 s. lands of Ferdinwell which he holds in feu farm of the Abbot of Melrose and to the acres of lands which he holds of the vicar of Dunscoir, all within the parish of Dunscoir and shire of Nithisdaill, and there for fulfilment of a contract between the said Oswald Porter and Andrew Portar, his eldest son, of this date, he gave sasine to the said Andrew Portar of the said 4 s. land of Ferdinwell, reserving his own liferent; witnesses, John Maxwell of Maquhenrik, Henry Gullasone in Burnesait, Thomas

[1] See *Reg. Mag. Sig.*, vol. 1580-93, No. 384.

Blak in Glenheid, Mungo Gullisone, and James Coltart 'blekster' in Drumfreis, Robert Maxwell being notary. (f. 178.)

Charter to Mungo Fergussoun, son of the deceased James Fergusson in Ferdinwell, of the 2 s. 4 d. lands of Ferdingwell occupied by his said father, in the parish of Dunscoir, paying yearly 3 s. 9 d. and 3 d. of augmentation, with duplication at the entry of heirs. The charter contains precept of sasine directed to John Smythe in Kylrow, and is dated 27th July 1565. Signed by the Commendator and several of the convent. It is noted as having been confirmed by the King on 3rd November 1584, and that sasine followed on 19th February 1568, John Lauder being notary. (f. 178.)

Instrument of Sasine, dated 2nd October 1593, given by Mungo Ferguson in Ferdinwell with consent of Janet McClege, his wife, to his lawful son, George Fergusson, of the 2 s. 4 d. lands of Fardinwell with pertinents, which he holds in feu farm by a disposition from the deceased Michael, Commendator of Melrose, confirmed by the King. The liferents of the said Mungo Ferguson and his wife are reserved, and it is stipulated that should Arthur Fergusson, son and heir apparent of the said Mungo Ferguson, return to the parish of Dunscoir, that the said George Ferguson would submit himself in respect of this infeftment to the arbitration of friends; witnesses, Andrew Cunninghame, sheriff depute of Drumfreis, John Merscheall, burgess there, Sampsoun Fergusson of Ferdinwell, Peter Currour in Holl and George Currour, his son, Herbert Cuninghame being notary. (f. 180.)

TABLE REGISTER OF MELROS

In David Makcullo his hands

Nota.—This register agrees with David Mackulloes booke but not with this minute of the charters with this double of this booke in the number of the pages of the uther.

Tabill of the haill chartouris contenit in the Mekle Register Buik of Melros land.

[The following are Abstracts of Charters granted by Thomas, Earl of Melrose about 1620.]

Confirmation of a charter by Thomas Kennedie of Ardmillan to his son and his wife of the £4 lands called Monkwode with the fishings on the Water of Downe, the five and a half merk lands of Culnane, and the following parts of the £5 lands of Grange, viz., the merk lands of Mosend, and Kewnstoun, the 5 s. lands of Litletoun, Hannaystoun and Reidstoun; the following parts of the £3 13. 4. lands of Platcorway, viz., the 22 s. lands of Mylnetoun, the 16 s. 8 d. lands called McIlmunstoun, the 22 s. land of Donald Thomsounstoun, and the 5 s. 10 d. lands of Arthurstoun; also the 40 s. lands of Beauches, the 36 s. lands of Periestoun, the 13 s. 4 d. lands of Knokfentoun otherwise called Bruntoun, the 6 s. 8 d. lands called Beyond the Muire, and the 40 s. lands of Semorway, with towers, etc., paying the duties contained in the old infeftments. (f. 1.)

Charter to Thomas Kennedie of Ardmillane of the £3 13 s. 6 d. lands of Platcorway, the £5 lands of Grange, the £4 lands called Monkwode, the £2 lands of Semorway, the half merk lands called Beyond the Mure, the Mill of Corway, with the mill lands and astricted multures of the lands of the lordship of Monkland in Carrick; the £5, 9 s. 4 d. lands underwritten, viz. the 40 s. lands of Beauches, the

20 s. lands of Litle Smithiestoun, the 36 s. lands of Periestoun and the 13 s. 4 d. lands of Kuskfayntoun; the 5½-merk lands of Culnane, and the office of heritable bailie of the 100 merk lands of Monkland: paying yearly for Platcorway £7 16 s.; for Grange, and Monkwode with the newly constructed mill, with the fishings, Semorway, Beyond the Mure, and the Mill of Corway, 67 merks; for Beauches, Litle Smithiestoune, Periestoune and Knokfayntoune £8 4 s.; for Culnane 6 merks; and for the office of bailie, 1 d.; with duplication on entry of heirs. (f. 3.)

Charter to Sir William Scott of Harden of the lands of Espinhoip and Brokilhoip, paying yearly 10 merks, 3 s. 4 d., with duplication. There is an irritancy if payment fell into arrears for three consecutive years. There is also a bond for infefting him. (f. 9.)

Charter to Thomas Davidsone of Pennyglen of the 40 s. lands of Wester or Meikle Smythistoune, with the mansion, paying yearly four merks, with duplication.[1] (f. 10.)

Charter to John Mure of Craigskeane of the 43 s. 4 d. lands of Craigskeane, paying yearly 46 s. 8 d., with duplication. (f. 12.)

Charter to Robert Richard of Clouay and his wife of the three merk lands of Clouay, and the 2½ merk lands of Knokinschort, paying yearly 3 merks and 2½ merks respectively, with an augmentation of 40 d. for each, and duplication. (f. 14.)

Charter to Mr. John Chalmers of Sandifurd of the three merk lands of Sauchrie with pendicles, for paying yearly 3 merks and 40 d. of augmentation, and with duplication. (f. 15.)

Charter to Fergus Kennedy of Knokdaw of the merk land of Corrifintoune, paying yearly 15 s., with duplication. (f. 17.)

Charter to Walter Kennedy of Knokdowe of the 40 s.

[1] Date about 1618. See Laing Charters, No. 1792.

lands of Meikle Knokdowe, the 24 s. lands of Litle Knokdowe and the five merk lands of Tibertmoir otherwise called Kylstoun, paying yearly £3 26 s., and 5½ merks, grassums £5 6 s. 8 d. The lands of Meikle Knokdowe are thirled to the Mill of Corway, paying an astricted multure of the 13th grain, triplication of the feu-duty at the entry of heirs, and three suits of court. (f. 18.)

Charter to John Kirkpatrik of Freircarse of the £4 lands of Freircarse with the fishings and mill called the Grange Mill; the £36 lands of Dalgonar, Killielago, Barschevalay, Pundland, Nether Beirdweill, Dempstartoune, Over and Nether Lagane, Over and Nether Dunscoir, Riddmess, Edgarstoune, Mulliganstoun, Culroy, Ferdynnavellhill, the lands of Achincreich, Bruntskearch and Dargavel, with the service of all the tenants and inhabitants and the heritable office of bailie: paying for Freircarse, etc., £120, and for the office of bailie 1 d., with triplication and an irritancy if he fail in his office of bailie [Dated — December 1585.] (f. 22.)

Charter to Robert Scott of Tuschelaw of the lands of Glinkerie, Megehoup and Fauhoip, paying yearly 26 merks 6 s. 8 d., with duplication. (f. 24.)

Precept for infefting James Moniepennie in the lands and mill of Pittadro. (f. 26.)

Tack to John Wauch and James Edzar of the Abbot yards of Melros, paying yearly 32 bolls of beir. (f. 27.)

Charter to Oswald Smith of the 7 s. lands of Ferdingwall, paying yearly 12 s., with duplication. (f. 28.)

Charter to John Slowman of 16 s. 8 d. worth of land, of which 10 s. and 40 d. lands lie in Achincreich, and 40 d. in Bruntskearch, paying yearly 27 s. 8 d., and triplication. (f. 30.)

Charter to Archibald Douglas of Tofts of the £5 lands of Pittilisheuche, paying yearly £7 5 s., with triplication.[1] (f. 33.)

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[1] Dated 19th November 1619. Laing Charters, No. 1825.

Charter to Archibald Douglas of Toftis of the lands of Hartsyde, Easter, Wester and Middle, with the mains thereof *alias* Weittpethhed, paying yearly 200 merks and three suits of court, with duplication. (f. 35.)

Charter to John Tennent of Cairnes of the £10 lands of Hairhoip, paying yearly £50 and three suits of court, with duplication. (f. 36.)

Charter to William Scott of Harden of the lands of Langhoip, paying yearly £7, with duplication. (f. 38.)

Charter to Janet McArthoūr of the 7 s. 6 d. lands of Newton, paying yearly 13 s. 4 d., with triplication. (f. 39.)

Charter to Margaret and Janet McKinnell of the 40 d. lands of Achincreich and the 40 d. lands of Bruntskearche, paying yearly 11 s., with triplication. (f. 41.)

Precept for infefting John Edzar in the 7 s. 6 d. lands of Little Dempstartoune, paying yearly 12 s. 9 d., with triplication. (f. 42.)

Charter to Robert McMurdie of the 6 s. lands of Killilagocraig, paying yearly 11 s., with triplication. (f. 43.)

Charter to John McFadzeane of the 12 s. lands of Killalago and the 5 s. lands of Barschevallo, paying yearly 28 s., with triplication. (f. 45.)

Charter to John McKinnell of the half merk land of Achincreich and the 40 d. lands of Bruntskearche, paying yearly 16 s. 8 d., with triplication. (f. 46.)

Charter to John McKinnell of the 40 d. lands of Achincreich and 40 d. lands of Bruntskearch, paying yearly 11 s., with triplication. (f. 47.)

Charter to John Jackson of the 7 s. 6 d. lands of Barschinvallo, paying yearly 13 s. 4 d., with triplication. (f. 49.)

Charter to Fergus Mulligin of the 10 s. lands of Meikle Dempstartoune, paying yearly 16 s. 4 d., with triplication. (f. 50.)

Charter to John Morring of the 6 s. lands of Killilago, paying yearly 10 s., with triplication. (f. 51.)

Precept for infefting William McKinnell in the 10 s. lands of Achincreich, paying yearly 16 s. 8 d., with triplication. (f. 52.)

Charter to John McKinnell of a half merk land in Achincreich, paying yearly 11 s., with triplication. (f. 54.)

Charters to James McKinnell of the 6 s. 8 d. lands of Bruntsckearche; to Harbert Gaw of the 6 s. 8 d. lands of Bruntskearche; to John Gaw of the 3 s. 4 d. lands of Bruntskearche; to John Gilmour of the 3 s. 4 d. lands of Bruntskearche; and to Thomas Newall of the 3 s. 4 d. lands of Bruntskearche, paying yearly 11 s., 11 s., 5 s. 6 d., 5 s. 6 d., and 5 s. 6 d. respectively, the heirs of the said James McKinnell and John Gaw doubling the feufarm and the others tripling it. (f. 55.)

Charter to David Kennedy, Garriehorne, and his wife of the 40 s. lands of Garriehorne, paying yearly 44 s., with duplication. (f. 58.)

Precept for infefting James Wood in the 20 s. lands of Garriehorne, paying yearly 22 s., with duplication. (f. 60.)

Precept for infefting John Wood in the 20 s. lands of Garriehorne, paying yearly 22 s., with duplication. (f. 61.)

Charter to George and William Maxwell in liferent and fee respectively of the 5 s. lands of Mcheinstoun, paying yearly 9 s., with triplication. (f. 62.)

Charter to Thomas Trumbill of the merk land of Horinsholl, paying yearly 14 s., with duplication. (f. 64.)

[On the margin is written, 'Hornhill propertie, Laird of Minto Trumble.']

Charter to John Griersone of a 30 s. lands lying in the parish of Dunscoir, paying yearly 50 s. 10 d., with triplication. (f. 65.)

Charter to Sir Robert Scott of Thirlestane of Thirlestane, Etrickhous, Ramsecleuche and Scabcleuche, paying yearly for Thirlestane £6 13 s. 4 d., for Etrickhous £6 13 s. 4 d., for Ramsecleuche £6 16 s. 4 d. and for Scabcleuche £3 6 s. 4 d.

with 4 s. of accommodation and suits of court, with duplication. (f. 66.)

Precept in favour of George Hay of Monktoune for infefting him in Monktoune, paying yearly 30 s., with suits of court and duplication. (f. 68.)

Charter to James Tuidie of Drummelzear of Hopcartane, paying yearly £3 6 s. 8 d., with duplication. (f. 68.)

Charter to John Murray of Hamyre of Hopcartane, paying yearly £3 6 s. 8 d., with duplication. (f. 70.)

Ratification by the Earl of Melrose to John, Earl of Wigton, of the lands of Kingildores with a procuratory of resignation to be held of the King. (f. 71.)

Contract between the Earl of Melrose and the tenants of Reidpeth anent the sowing of the lands of Craighouse. (f. 72.)

Tack to Adie Bell of the lands, teinds and fishings of Auld Melrose for seven years, paying yearly 650 merks. (f. 74.)

Charter to Robert Greir of the 7 s. 6 d. lands of Barschevallo, paying yearly 13 s. 4 d., with triplication. (f. 75.)

Charter to George Ferguson of the 2 s. 4 d. lands of Ferdingwall, paying yearly 4 s., with triplication. (f. 77.)

Charter to Gilbert Grier of the 6 s. 8 d. lands of Over Lagane, paying yearly 11 s. 4 d., with duplication. (f. 78.)

Charter to Robert Grier of the merk land of Over Lagan, paying yearly 24 s. 4 d., with triplication. (f. 80.)

Charter to John Lyndsay of the 20 s. lands of Nether Lagan, paying yearly 40 s., with triplication. (f. 81.)

Charter to William Edzair of the 12 s. 6 d. lands of Edzarstoune, paying yearly 13 s. 4 d., with triplication. (f. 83.)

Charter to James Smith of the 6 s. lands of Killielago, paying yearly 11 s., with triplication. (f. 85.)

Charter to Marian McFadzean of the 7 s. 6 d. lands of Newtoun *alias* Dempstartoune, paying yearly 13 s. 4 d., with triplication. (f. 86.)

Precept for infefting Thomas McFadzeane in the 7 s. 6 d. lands of Newtoun *alias* Little Dempstartoun, paying yearly 13 s. 4 d., with triplication. (f. 87.)

Precept for infefting John Diksone in 2¾ husband lands of Hawlaw, paying yearly £3 22 d., with triplication. (f. 87.)

Charter to James Cossar of the 12 s. lands of Hassingtoune, paying yearly 11 s. 3 d., with triplication. (f. 88.)

Precept for infefting Robert McMoran in the 8 s. 9 d. lands of Dempstartoune, paying yearly 21 s., with triplication. (f. 89.)

Charter to Thomas Griersone of the merk land of Over Lagane, paying yearly 8 s. 4 d., with triplication. (f. 89.)

Charter to Nicol Charteris in liferent and Edward Maxwell in fee of the 2½ merk land of Bruntskearch, paying yearly 40 s. 8 d., with duplication. (f. 91.)

Charter to Alexander Ferguson of the 4 s. lands of Ferdingwall, paying yearly 7 s., with triplication. (f. 92).

Charter to John Smith of the half merk land of Kilroy, paying yearly 13 s. 4 d., with triplication. (f. 94.)

Charter to John McBirnie of the merk land of Nether Lagan, paying yearly 23 s., with triplication. (f. 95.)

Charter to John McKinnie of the 30 d. lands of Meikle Dempstartoune, paying yearly 5 s., with triplication. (f. 97.)

Contracts between the Earl of Melrose and the tenants anent the sowing of Gattonside, the Annay and Precinct, Newsteid, Newtoune, certain acres of Annay and Melrostoune, some acres and houses of Melrostoune, Threipwode, certain pendicles in Gattounsyde, and Craighouse. (ff. 98-127.)

Tack of Ald Melros set to Adie Bell. (f. 124.)

Charter to Gilbert Grierson of the 30 d. lands of Dempstartoune, paying yearly 4 s. 8 d., with triplication. (f. 130.)

Charter to William Spottiswode of the ten merk lands

of Quhitlie and Quhitliedykis, paying yearly ten merks 2 s. 4 d., with duplication. (f. 132.)

Charter to John Kirkpatrick of the 26 s. lands of Dempstartoune, paying yearly 43 s. 4 d., with triplication. (f. 132.)

Charter to William Hunter of the lands of Williamlaw, paying yearly £5 10 s., with duplication. (f. 133.)

Precept for infefting John McMurdie in the 6 s. 3 d. lands in Cubingtoune and Ferdingmᶜcroner commonly called Mᶜmurdiestoune, paying yearly 11 s. 4 d., with triplication. (f. 134.)

Precept for infefting Alexander McMurdie in the 6 s. 8 d. lands of Ferdingdrumbane, paying yearly 13 s. 4 d., with duplication. (f. 135.)

Charter to Sampson Ferguson of the 28 d. lands of Ferdingwell, paying yearly 4 s., with triplication. (f. 136.)

Precept for infefting John McCubein in the 6 s. 3 d. lands of McCubenstoune, paying yearly 10 s. 4 d., with triplication. (f. 137.)

Charter to Roger Hiddilstoun of the 6 s. 3 d. lands of Ferdingwell Mᶜcroy called Mᶜcubingtoun, paying yearly 2 s. 6 d., with duplication. (f. 138.)

Charter to John Grierson of the merk land of Muligantoune also called Ferdingdrumbane, paying yearly ten merks, with triplication. (f. 139.)

Charter to Cuthbert Hilstoun of the 6 s. 3 d. lands of Edzartoune, paying yearly 12 s. (f. 141.)

Precept for infefting John M'Cheyne in the 10 s. lands of Ferdingriddins, paying yearly 16 s. 8 d., with triplication. (f. 142.)

Charter to Andrew Riddell of that Ilk of the half lands of Cringillis, paying yearly 50 s., with duplication. (f. 143.)

Letter of Bailliary to James Pringill of Bukholme. (f. 144.)

Precept for infefting William Grier in the 40 s. lands of Dalgonar and the 20 s. lands called Pundland, paying yearly £5 4 s., with duplication. (f. 144.)

Charter to Sir Robert Scott of Thirlestane of the half lands of Cringillis extending to 52 s. of land, paying yearly 40 s., with duplication. (f. 145.)

Charter to John Halliburtoune of Mertoun of the fishings upon water of Tweed therein specified, paying yearly £20, with duplication. (f. 146.)

Resignation of the new kirk of Ettrik and parish thereof in favour of Sir Robert Scott of Thirlestane and his son John, paying yearly to the minister 300 merks and furnishing bread and wine to the communion, also relieving the minister and kirk of all impositions upon the said kirk and teinds. (f. 147.)

Precept for infefting George Lawder of Bass in the lands of Panscheillis, Preistlaw, Kingisyde, Freirdykis, Winterscheillis and Newgrange, paying yearly £30, five chalders of wheat, three chalders of oatmeal 'lie straik mett Melrose mett,' with duplication. (f. 148.)

Charter to Mr. John Chalmer of Sauchrie and his wife of the 43 s. 4 d. lands of Craigskeane, paying yearly 46 s. 8 d., with duplication. (f. 149.)

Charter to Mr. John Chalmer of Sauchrie of the merk land called Donaldsmote, paying yearly two merks, with duplication. (f. 150.)

Tack to Michael Fisher in Fadounsyde of Cairtleyis, Sowtercroft, Meirbanke, Newfurdhauche and Marrislie with the teinds, paying yearly for all save Marrislie 530 merks, and for Marrislie and teinds 70 merks, or in all 600 merks. (f. 151.)

Backband by Michael Fisher in favour of the tenants regarding the said lands. (f. 152.)

Tack to Alexander Michelsone of Blankhauche of Drygrang and Couperrige with the teinds, paying yearly 900 merks. (f. 153.)

Tack to William Halliburtoun in Housbyre and George

Thomson there of the half of the Eastsyde of Housbyre with the teinds, paying yearly 250 merks. (f. 154.)

Tack to William Chisholme in Dernik and William Darling there of the vicarage teinds of Dernik and Brigend, paying yearly £30. (f. 155.)

Tack to Robert Trotter in Housbyre of the half of the Eastsyde of Housbyre, paying yearly 250 merks. (f. 155.)

Confirmation of a charter by James Cairncross of Colmeslie to Andrew Riddell of that Ilk of Allaneschawis, Woplaw, and the West part of Langlie, paying yearly ten merks and 3 s. for Allaneschawis, £3 10 s. for Wouplaw and for Langlie the sum of —— and —— stones of butter or 6 s. 4 d. for each stone of butter, with duplication. (f. 156.)

Charter to James Carnecroce of Colmeslie of the half lands of Selmure called Colmeslie, Westersyde of Housbyre, the Eastsyde of Langlie (except the croft called Sellarishauch), Allaneschawis and Wouplaw, the Mill of Newtoune with the astricted multures together with the multures of the towns of Newtoune, Lassudden, Eliestoune, Camistoune, Maxpoffill, Murehouslaw and Plewland with the mill lands, etc., paying yearly for the half of Selmure called Colmeslie 50 stones of butter or 6 s. 8 d. for each stone at the option of the said James Carnecross for Westersyde of Housbyr and Langlie £16 and 20 stones of butter or 6 s. 8 d. for each stone with duplication in the first year of entry, for Allaneschawis ten merks 3 s. 10 d., for Wouplaw £3 10 s., and for the Mill of Newtoune 13 merks, with attendance at the three head courts, and triplication of the feu duty of the said mill. (f. 158.)

Tack to William Moffett in Reidpeth of the vicarage teinds of the lands of Melrosetoune and two parts of the lands of Danzeltoune possessed by the tenants of Melrostoune and Danzeltoune, paying yearly twenty merks. (f. 160.)

Bond for infefting James Carnecroce of Colmeslie in the foresaid lands contained in his charter. (f. 161.)

Charter to Andrew Ker of Yair of Freircroft, paying yearly £3 6 s. 8 d. (f. 163.)

Charter to James Pringill of Gallascheillis of Sellarhauche, paying yearly £3. (f. 165.)

Charter to George Rutherford of Ferningtoune of the two closes or parks and meadows called Monks closes, paying yearly 42 s., with duplication. (f. 165.)

Confirmation of a charter by James Huntar of Halkburne to Thomas Huntar, his brother, of the lands of Halkburne, paying the usual duties. (f. 165.)

Precept for infefting Francis Huntar in Halkburne and three husband lands of Blainslie, paying yearly for Halkburne eight merks with duplication, and for the said husband lands five merks 5 s. 4 d., ten poultry and 3⅓ carriages, with duplication. (f. 167.)

Charter to Thomas Huntar of the lands of Halkburne and three husband lands of Blainslie, paying yearly as in the last. (f. 168.)

Tack to Thomas Huntar of Halkburne of the teinds of Halkburne, paying yearly ten merks. (f. 169.)

Charter to Walter Scott of a half merk land in Clarelaw called Mounkland, paying yearly 6 s. 8 d., with duplication. (f. 170.)

Charter to George Corrie of Kelwode and his wife of the 5½ merk lands of Fischertoune, paying yearly six merks, with three suits of court and duplication. (f. 171.)

Charter to John Scott in Breiryairds of the 3 s. 4 d. lands of Calffald, paying yearly 3 s. 4 d., with duplication. (f. 172.)

Charter to Gavin Trumbill of the merk land called Kerswell (in Hassinden *in the margin*), paying yearly 13 s. 4 d., and duplication. (f. 172.)

Charter to Andrew Plumbert of 6¼ husband lands in Lassudden, paying yearly £12 3 s. 4 d., with astricted multures, three suits of court, and duplication. (f. 173.)

Charter to James Carnecorse, younger of Colmislie, of the lands of Colmislie, etc. (f. 178.)

Precept for infefting Sir Patrick Murray of Eliebank in an annual rent of 39 bolls of oats, 13 bolls of barley, —— long carriages, 12 short carriages, and four dozen kain fowls for payment of 1 d. (f. 178.)

Precept for infefting William Douglas of Tofts in the £5 lands of Pittilesheuche, paying yearly £7 5 s., with triplication, also three suits of court.[1] (f. 179.)

Charter to John Belsches, advocate, for the £5 lands of Pittilesheuche, paying yearly £7 5 s., with triplication and three suits of court.[2] (f. 180.)

Charter to Alexander Hoy of the lands of Colmesliehill, paying yearly £5 2 s. 8 d., with duplication. (f. 181.)

Tack to Alexander Hoy of Colmesliehill of the teinds of Colmesliehill, paying yearly £5. (f. 182.)

Tack to James Carnecroce of the teinds of the lands disponed to him in his charter above in f. 175. (f. 183.)

Confirmation of a charter by James Carncroce of Colmeslie to George Pringill of Torwodlie of Allaneschaw and Wouplaw, the Eastsyde of Langlie, except the croft called Sellarishauche, and a annual rent of 200 merks from Westersyde of Housbyre, paying yearly for Allaneschaw ten merks 3 s. 10 d., for Wouplaw £3 10 s., and for Westsyde of Langlie £5 6 s. 6 d., and seven stones butter or 6 s. 8 d. for each stone at the option of the payer with duplication and for the said annual rent 1 d. [Followed upon a contract of sale for 18,000 merks.[3]] (f. 184.)

Precept for infefting Robert Maxwell in the 20 s. lands of Glengunnoch, paying yearly 40 s., with triplication and three suits of court. (f. 186.)

Charter to Robert Muirhead and Marion Edzar, his spouse, of the 10 s. lands of Glengunnoch. (f. 190.)

Charter to Archibald Maxwell of Cowhill of the 10 s. lands of Glengunnoch, paying yearly 20 s., with triplication. (f. 187.)

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[1] Dated 25th June 1621, Laing Charters, No. 1870.

[2] Dated 9th February 1622, *Ibid.*, No. 1897.

[3] Rutherford of Edgerston Charters in General Register House.

Letter of Bailiary to James Pringill, fiar of Bukholme, of the Temple lands within the shire of Berwick. (f. 188.)

Confirmation of a Charter by the deceased Robert Diksone of Hassingtoune Maynis to Robert Diksone, his grandson (*nepoti*), of the 5¼ husband lands of the Mains of Hassingtoune and Dedrigis, paying yearly £7 11 s. 10½ d., with duplication. (f. 189.)

Precept for infefting Thomas Trumbill in the 13 s. 4 d. lands of Hassindenbank, paying yearly 13 s. 4 d., with duplication and three suits of court. (f. 192.)

Charter to John Maxwell of Tempilland of the £4 lands of Freircarse with the fishing and the mill thereof, paying yearly £120, with triplication. (f. 192.)

Charter to Robert Douglas of Spott of the lands of Easter, Wester and Middle Hardsyde with the Mains of Hardsyde or Wettpetheid, paying yearly 200 merks, with three suits of court and duplication. (f. 196.)

Factory to John Crawford of Skeldoune for uplifting the feu duties of the lands and barony of Monkland and Carrik. (f. 197.)

Confirmation of a Charter by Sir Robert Scott of Thirlestane with consent of his wife, to Sir Walter Scott of Quhitslaid of the lands of Ettrikhous for paying yearly £6 13 s. 4 d. and —— in augmentation, with three suits of court and duplication. (f. 198.)

Confirmation of a Charter by Sir Robert Scott of Thirlestane with consent of his spouse, to William Scott of Harden of the lands of Thirlestane, Ramiscleuch and Scabcleuch, with the pendicle of Thirlestane called Hoiphous and the pendicle of Ramiscleuch called Timahauchis, paying yearly for Thirlestane £6 13 s. 4 d., for Ramiscleuch £6 13 s. 4 d., for Scabcleuch £3 6 s. 4 d., and —— in augmentation, with three suits of court and duplication. (f. 200.)

Letters of Regress to Sir Robert Scott of Thirlestane to the lands of Ettrikhous on payment to Sir Walter Scott of Quhitslaid and his heirs of 12,000 merks. (f. 202.)

Letters of Regress to Sir Robert Scott of Thirlestane to the lands of Thirlestane, Ramiscleuch and Scabcleuch, with their pendicles, on payment to Sir William Scott of Harden and his heirs of £20,000. (f. 203.)

Charter to Sir George Ramsay of Wyliecleuch of three houses and others in Aldtoune of Cauldstreame, paying yearly £3, with duplication. (f. 204.)

Charter to Duncan Menzeis of the lands of Wolfclyde, paying yearly four merks 2 s. 8 d., with triplication. (f. 203.)

Charter to Robert, Earl of Roxburgh, of the lands of Ugginis underwritten, namely the lands of Falsat, Trowe, Coklaw, Kapilrodik, Ewyngischaw, Preischneise, Sourhoip, Raschaw, Gaitschaw, Hownemgrange, Southcoitt, Cliftouncoitt, with the Mill of Hownemgrange, paying yearly for Falsat £5, for Troue £5, for Coklaw £7 10 s., for Kapilrodik £5, for Ewinschaw £7 10 s., for Preisschneise £5, for Sourhoip £5, for Raschaw £10, for Gaitschaw £6 13 s. 4 d., for Hownemgrange £10, for Southcoitt £4, for Cliftouncoitt £6 13 s. 4 d., for the Mill of Hownemgrange 40 s., with £9 in augmentation and three suits of court and duplication. Failure of payment involves duplication of the feu duties for each of the terms unpaid. (f. 205.)

Confirmation of a Charter by William Huntar of Williamlaw, Mr. William Hunter, his son, with consent of Elizabeth Douglas, mother, and Barbara Carnecroce, spouse of the said William Hunter, and Janet Mow, spouse of the said Mr. William Hunter, to James Pringill, fiar of Bukholme, of the lands of Williamlaw, paying yearly £5 10 s., with duplication. (f. 206.)

Tack to Thomas Huntar of Halkburne of the teinds of Quhitlie and Quhitliedykis, Buttirhoil and Loyningknow, paying yearly ten merks. (f. 209.)

Charter to Thomas Huntar of Halkburne of the ten merk lands of Quhitlie and Quhitliedykis, Buttirhoil and Loningknow, paying yearly ten merks 2 s. 4 d., with duplication. (f. 209.)

[This Charter probably followed on a Disposition dated 16th June 1624, recorded in General Register of Sasines, vol. xv. p. 161.]

Charter to Alexander Menzeis of Culterralles of the lands of Wolfclyde, paying yearly four merks 2 s. 8 d., with duplication. (f. 211.)

Precept for infefting Oswald Smith in the 7 s. lands of Ferdingwell, paying yearly 12 s., with duplication. (f. 212.)

Charter to Laurence Scott, advocate, of the lands of Eliestoune, paying yearly three chalders of barley and three chalders of meal, Melrose measure, extending to 13 pecks every boll and 60 poultry or 8 s. for each boll of barley, 6 s. for each boll of meal and 6 d. for each of the poultry at the option of the payer with 20 s. of augmentation, extending in all to £37 14 s., with duplication and three suits of court. (f. 213.)

Confirmation of Charter by James Cairncroce of Colmslie with consent of his wife, to Mr. John Mitchell, minister, of the lands of Eastsyde of Langlie and Westhous of Housbyre under reversion for 5000 merks.[1] (f. 221.)

Contract between the Earl of Melros and the tenants of Eildoune anent the sowing of seventeen lands with the teinds. (f. 224.)

Charter to George Pringle of Torwodlie of Colmslie, Westsyde of Housbyre, Langlie, Mill of Newtoune, lands of Newtoune, Lessuddin, Eleistoune, Cammisstoune, Maxpoppell, Morhouslaw and Plewland, upon an apprising led by him against James Cairncroce of Colmslie.[2] (f. 227.)

Precept for infefting John Mitchell in Eastsyde of Langlie and Westsyde of Housbyre.[3] (f. 230.)

Precept for infefting John, Earl of Cassillis, in the 20 merk lands of Monkland. (f. 231.)

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[1] See Rutherford of Edgerston Charters, 22nd June 1622.
[2] *Ibid.*, 4th July 1622.
[3] *Ibid.*, 28th February 1624.

Precept for infefting David Murray of Halmyre in Hopcartane. (f. 232.)

Tack of the yairds of Melros and Priorwoode with the teinds to William Edgar. (f. 232.)

Charters to John Scott of Spenserfeild of the lands of Spenserfeild, and to the said John Scott and his future spouse of Newtoune of Pittadro upon his resignation. (f. 233.)

Precept for infefting James Greir of Dalgonar in the 40 s. lands of Dalgonar and the 20 s. lands of Pundland. (f. 235.)

Charter to John Fisher of the lands of Thirlstoune, Ramiscleuch and Scabcleuch, with the pendicles of Thirlstoune called Hoiphous and pendicles of Ramiscleuch called Timshauchis, upon an apprising by the said John Fisher against Robert Scott of Thirlstone. (f. 236.)

Charter to James Pringle, fiar of Torwodlie, granted by George Pringle of the lands of Colmslie, Wouplaw and Allanschawes, and a confirmation thereof. (f. 238).

Precept for infefting Thomas Wood in Milnehauchis of Newgrange. (f. 241.)

Charter to Nicolas Cairncroce of Calfhill of the lands of Calfhill and Notsmanspark with Laidupmure and the five merk lands of Maxpoppell.[1] (f. 241.)

Renunciation by the Earl of Melros to James Ker of the decreet of improbation obtained against him of his infeftments of the two corn mills of Melros registered in September 1627. (f. 243.)

Charter to James Pringle, fiar of Bukholme, and John Pringill, his eldest son, of the lands of Williamlaw with reservation of his own liferent and confirmation of this charter written on the back. (f. 245.)

Precept of *Clare Constat*, for infefting James Ker as heir to the deceased Robert Ker, his father, in the corn mills of Melros. (f. 245.)

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[1] Dated 16th July 1627. *Roxburgh Sasines*, vol. iii, pp. 204-5. See *Regality Court Records*, vol. ii. pp. 331-4.

Letter of Bailiary to James Hoome of Haikshaw of the lordship of Caldstreame. (f. 246.)

Letter of Bailiary to James Pringill, fiar of Bukholme, of the lordship of Melrose. (f. 247.)

Charter to Robert Lauder and his spouse of a house, garden and dovecot in Tininghame. (f. 247.)

CHARTULARY OF MELROSE (*continued*)

[*Note.*—The Charters are now granted by Sir Thomas Hamilton, Earl of Melrose, who afterwards became the Earl of Haddington.]

Charter by Thomas, Earl of Melros, Lord Byres and Binning, to Andrew Lethan, carpenter in Potterraw, of one and a fourth husband lands of Newtoune occupied by the said Andrew Lethan and his tenants, paying yearly £29 3 s. 4 d. with 1¼ long and 1¼ short carriages, 1¼ loads turf[1] or 22 s. 6 d. for the 1¼ long carriages, 10 s. for the 1¼ short carriages and 4s. 2 d. for the load turf, at the granter's option, also 3⅓ kain fowls with irritancy on failure of three successive terms in payment and thirlage to the mills of Newtoune. Dated Edinburgh, 17th May 1622; witnesses, David McCulloch, John Wauch and Archibald Ellot, servants to the Earl. (f. 1.)

Charter to Andrew Mayne, son of David Meyne in Newsteid of two acres of Newsteid with the teinds occupied by the said Andrew Meyne and his sub-tenants, paying yearly £3 15 s., a short carriage or 8 s., and a load turf or 3 s. 4 d. with the kain fowls, with thirlage to the mill of Melros. Dated Edinburgh, 17th May 1622; same witnesses. (f. 2.)

Charter to James Eistoune, indweller in Lassudden, of the quarter of a husband land formerly belonging to James Unes in Lassudden now resigned by John Brydin, portioner of Lassudden, with the dwelling houses, etc., thereupon (but reserving the fishing of the water of Tweed and the stone quarries), paying yearly 9 s. 3 d. with the other services used and wont and with duplication. Dated Edinburgh, 6th July 1622; witnesses, David McCulloch and Archibald Ellot. (f. 3.)

[1] Latin *glebæ*, which may also signify 'peats,' and seems to be thus rendered in many vernacular deeds.

Charter to Barnard Bell in Newsteid, of three acres of Newsteid, with the teinds held and occupied by Robert Trotter there, with the buildings thereupon, now resigned by him, paying yearly £5 12 s. 6 d., with 1½ short carriages, a load turf and the kain fowl, with thirlage to Melros Mill. Dated Edinburgh, 6th July 1622; same witnesses. (f. 5.)

Charter to Thomas Riddell in Newtoune of the fourth of a husband land of Newtoune occupied by himself, paying yearly £5 16 s. 8 d., the ¼ of a long and the ¼ of a short carriage, with the ¼ of a load turf or the sums of 4 s. 6 d., 2 s. 6 d., and 10 d. at the option of the granter, also the ¼ of a kain fowl. Dated Edinburgh, 6th July 1622; same witnesses. (f. 6.)

Charter to Thomas Ker in Melros of a tenement of land in Little Fordel and an acre in Quarelhill formerly belonging to Thomas Watsone, son and heir of the deceased William Watsone in Melros, apprised from him on 3rd April last, paying yearly 40 s. Dated Edinburgh, 6th July 1622; same witnesses. (f. 7.)

Charter to Andrew Darling in Apiltrieleaves in liferent and Peter Darling, his eldest lawful son, in fee of that third part of Apiltrieleaves presently occupied by the said Andrew Darling and resigned by him for this regrant, paying £11 with duplication, the said Andrew and Peter Darling being bound to ride sufficiently armed with the Earl against his enemies whensoever required. Dated Barnebowgall, 7th August 1622; witnesses, James Monteith and Mark Hamilton, servitors to the Earl, and John McIlwraith to Thomas Coutts, W.S. (f. 8.)

Charter confirming a charter dated — March 1569, granted by the deceased Sir Walter Scott of Branxholme, knight, to the deceased Robert Darling of Apiltrieleaves of that part of Apiltrieleaves occupied by the said deceased Robert Darling, and which has been resigned by Walter now Earl of Bukcleuche, now granted to Andrew Darling in Apiltrieleaves as son and heir of the said deceased Robert Darling, paying yearly £11 and armed service on

horseback in time of war. Dated Barnebowgall, 7th August 1622; same witnesses. There follows a Precept of *Clare Constat* in favour of the said Andrew Darling, same date and witnesses. (f. 10.)

Charter to James Edgar, notary in Melros, of that quarter of the South garden formerly belonging to James Ker in Melros with the teinds lying between the enclosure and garden of the said James Ker on the North and West, the vennel or highway of Melros on the East, the garden of George Freir and the garden commonly called the Gaitbank on the South, which garden was resigned by the said James Ker, paying yearly 40 s., dated Edinburgh, 6th December 1622; witnesses, James Pringill, apparent of Bukholme, David McCulloch and Archibald Ellot. (ff. 12 and 13.)

Charter to Adam Darling in Blainslie of a half merk land and the ninth part of Chappelcroft occupied by the said Adam Darling in Blainslie which formerly belonged to Edward Darling, younger, portioner of Blainslie, and Edward Darling, elder, his father, and were resigned by them, paying yearly 14 s. with duplication, one long and one short carriage and 2½ kain fowls. Dated Edinburgh, 25th December 1622; witnesses, Alexander Dicksone in Byiris, David McCulloch and Archibald Ellot. (f. 14.)

Tack, with consent of Adam Bell in Auld Melros, to Alexander Mar, portioner of Newsteid, of that part of the fishing of Auld Melros between the Mylnefurd beside Newsteid on the West and Leidermouth on the East for the said Alexander Mar's lifetime, entry on 14th December 1622, paying yearly four merks. Dated Edinburgh, 9th December 1622; witnesses, David McCulloch, Mr. George Davidson and John McCairtney, servitors to the Earl. (f. 15.)

Charter to James Pringill, apparent of Bukholme, of the half husband land occupied by Thomas Unes in Lassudden (reserving the fishings), resigned by the said Thomas Unes, paying yearly 18 s. 6 d. with 12 d. for two poultry and with duplication. Dated Edinburgh,

18th February 1623; witnesses, David McCulloch, Mr. Adam Hepburn and Archibald Ellot, servitors to the Earl. (f. 15.)

Charter to James Pringill, apparent of Bukholme, of the half of a husband land in Lassudden (excepting the fishing) which formerly belonged to Thomas Lethan, portioner of Lassudden, and was resigned by him, paying yearly 18 s. 6 d., 12 d. for two poultry and with duplication. Dated Edinburgh, 18th February 1623; same witnesses. (f. 16.)

Charter to James Pringill, apparent of Bukholme, of half of a husband land of Lassudden occupied by Mungo and William Kyle there (excepting the fishings, stone quarries, etc.) which formerly belonged to Thomas Kyle commonly called of Hill, portioner of Lassudden, and was resigned by him, paying yearly 18 s. 6 d., 12 d. for two poultry, with duplication. Dated Edinburgh, 18th February 1623; same witnesses. (f. 17.)

Precept of *Clare Constat,* for infefting George Trotter, son of the deceased Thomas Trotter in Reidpeth, in 1½ husband lands of Reidpeth presently occupied by him with pasturage in the commonty of Ersiltoune. Dated Edinburgh, 24th February 1623; witnesses, David McCulloch and James Dalmahoy, servitors to the Earl, Archibald Ellot, servitor to the said David McCulloch and John McIlwraith to Thomas Coutts, W.S. (f. 18.)

Charter to Robert Trotter, merchant, burgess of Edinburgh, of 1½ husband lands of Reidpeth presently occupied by George Trotter, with pasturage in the commonty of Ersiltoune, resigned by the said George Trotter in Reidpeth, paying yearly 33 s. 6 d. and 1½ carriages, with duplication. Dated Edinburgh, 21st March 1623; witnesses, James Rentoune, David McCulloch, and James Hamilton, servitors to the Earl. (f. 19.)

Charter to William Wricht, portioner of Galtounsyde, of eight acres of Galtounsyde with Smithieyaird, with the teinds, paying yearly £39 6 s. 8 d., with three long carriages and three loads turf, or 18 s. for each long carriage

and 3 s. 4 d. for each load turf in the option of the granter, with the sum of 40 s. for the said garden. Dated Edinburgh, 27th June 1623; witnesses, David McCulloch and Archibald Ellot, servitors to the Earl. (f. 20.)

Charter to Robert Wallace, officer in Melros, of 5½ acres of the Annay of Melros, the meadow commonly called Monksmeadow, a tenement in Little Fordell, an acre of land in Quarelhill, and that part of the wairds occupied by the said Robert Wallace and his sub-tenants, with teinds, paying yearly for the 5½ acres of the Annay 5 bolls, 2 firlots barley, Jedburgh measure, with 5½ capons; for Monksmeadow £3; and for the others 40 s., with thirlage to the mill of Melros. Dated Edinburgh, 7th October 1623; witnesses, Mr. Adam Hepburn, John McCairtney and Archibald Ellot. (f. 21.)

Charter to Thomas Boustoune in Galtounsyde of 5½ acres of Galtounsyde occupied by himself, paying yearly £77 12 s. 10 d., with 4¾ long carriages and 3 loads turf, or 18 s. for each long carriage and 3 s. 4 d. for each load turf at the option of the granter, also 4¾ kain fowls, with thirlage to the mill of Westhouses. Dated Edinburgh, 7th October 1623; same witnesses. (f. 22.)

Charter to Andrew Mar of 18 acres of Galtounsyde with the small croft adjoining the said Andrew Mar's garden, and teinds, occupied by him, paying yearly £88 10 s. 8 d. with 6¾ long carriages and three loads turf, or 18 s. for each long carriage and 3 s. 4 d. for each load turf at the option of the granter, also 6¾ kain fowls, with 3 s. 4 d. for the foresaid small croft, and thirlage to the mill of Westhouses. Dated Edinburgh, 7th October 1623; same witnesses. (f. 24.)

Charter to Barnard Bell in Newsteid of an acre of Newsteid, with the teinds, presently occupied by him, paying yearly 37 s. 6 d. with half a short carriage or 4 s. and half a load turf or 20 d., with a half kain fowl. Dated Edinburgh, 8th October 1623; witnesses, Mr. Robert Adamesone, Mr. Adam Hepburne and John McCairtnay, servitors to the Earl. (f. 25.)

Charter to Richard Wilson in Newsteid of two acres of Newsteid, with the teinds, presently occupied by him, paying yearly £3 15 s., with one short carriage or 8 s., and one load peats or 3 s. 4 d., with a kain fowl. Dated Edinburgh, 29th April 1624; witnesses, David McCulloch, Mr. Adam Hepburne and Archibald Ellot, servitors to the Earl. (f. 26.)

Charter to James Pringill, apparent of Bukholme, of a dwelling house with gardens and croft adjoining, and the teinds, within the precinct of the monastery, belonging to Ralph Haliburton and occupied by him and his sub-tenants, resigned by him, paying yearly £10. Dated Melrose, 14th April 1624; witnesses, James Rentoune, Mr. Robert Adamesone, Mr. Adam Hepburne and David McCulloch, servitors to the Earl. (f. 28.)

Charter to James Pringill, apparent of Bukholme, of two gardens, one called the Salrieyaird and the other Dean John Forest's yaird, with the teinds, lying within the precinct of the monastery which formerly belonged to James Ker in Melrose, resigned by him, paying yearly 13 s. 4 d. Dated Melrose, 14th April 1624; same witnesses. (f. 29.)

Charter to Barnard Meyne of Galtounsyde of 14½ acres of Galtounsyde, with the teinds, also the two acres called Pendicleland, with the teinds, presently occupied by him and his sub-tenants, paying yearly for the 14½ acres £72 14 s. 4 d. with two long carriages or 18 s. for each, and three loads turf or 3 s. 4 d. for each at the option of the granter, and with 4½ kain fowls; and for the two acres of Pendicleland £5 6 s. 8 d. Dated Edinburgh, 29th April 1624; witnesses, Mr. Adam Hepburne and Archibald Ellot, servitors to the Earl. (f. 30.)

Charter to Andrew Holme in Galtonsyde of 11 acres of Galtonsyde, with the teinds, paying yearly £54 1 s. 4 d., with four long carriages or 18 s. for each carriage, and three loads turf or 3 s. 4 d. for each load at the option of the granter, with 4⅜ kain fowls. Dated Edinburgh, 29th April 1624; same witnesses. (f. 31.)

Charter to Andrew Meyne, commonly called 'Mathowis Andro,' in Newsteid, of 10 acres of Newsteid and an acre of Plumbersland in Newsteid, with the teinds, presently occupied by the said Andrew Meyne and his sub-tenants, paying yearly for said 10 acres £18 15 s., with one long carriage or 18 s., 3 short carriages or 8 s. for each, and 4 loads turf or 3 s. 4 d. for each at the option of the granter, and for the acre of Plumbersland 22 s. 6 d. Dated Edinburgh, 29th April 1624. (f. 33.)

Precept of *Clare Constat,* for infefting John Chisholme as heir to the deceased John Chisholme in Newtoune, his father's brother, in a husband land of Newtoune, paying yearly £20 6 s. 8 d., one long carriage or 18 s., a short carriage or 8 s., and a load turf or 3 s. 4 d., with three kain fowls. Dated Edinburgh, 29th April 1624. (f. 34.)

Tack to Thomas Bell in Flass of the lands of Drygrange with the teinds for five years, paying yearly £500. Dated Edinburgh, 24th January 1624; witnesses, David McCulloch, servitor to the Earl, Archibald Ellot, his servitor, and Thomas Lythgow in Reidpeth. (f. 35.)

Charter to Andrew Tunno in Melrose of two acres of the Annay, with teinds, also two little tenements and garden within the precinct of the monastery and a little yard lying on the east side of the Abbey bridge of Melrose, and two acres of Walker's croft, presently occupied by him and his sub-tenants, paying yearly for the two acres of Annay 2 bolls barley, Jedburgh measure, and 2 capons; for the two little tenements and garden and the little yard 50 s., and for the two acres of Walker's croft with the teinds £5 6 s. 8 d. Dated Edinburgh, 27th May 1624; witnesses, James Pringill, apparent of Bukholme, David McCulloch, and Archibald Ellot, servitors to the Earl. (f. 36.)

Charter to Andrew Tunno in Melrose of that croft called Pentesyaird with the teinds presently occupied by him lying in the Abbey, along with those ruinous walls formerly possessed by the deceased Elizabeth Ker in the

town of Melrose, which croft belonged formerly to James Ker in Melrose and was with consent of Mr. Thomas Ker there resigned, paying yearly ten merks. Dated Edinburgh, 27th May 1624; same witnesses. (f. 37.)

Charter to Andrew Tunno in Melrose of a tenement of land within the precinct of the monastery occupied by himself which formerly belonged to Margaret Wallace, daughter and heir of the deceased William Wallace, burgess of Jedburgh, and was resigned by her, paying yearly £3, and four days' work, with duplication. Dated Edinburgh, 29th May 1624; same witnesses. (f. 38.)

Charter to Andrew Tunno in Melrose of an acre or croft of the wairds of Melrose which formerly belonged to George Donaldsone in Melrose, and was resigned by him, paying yearly 15 s. Dated Edinburgh, 27th May 1624; same witnesses. (f. 39.)

Charter to James Eistoune in Sintounwodheid of a husband land in Lassudden occupied by Alexander Hastie (under reservation of the fishing, stone quarries, etc.), and was resigned by him, paying yearly 39 s. 4 d. and thirlage to the mill of Newtoune, also duplication and service at the three head courts. Dated Edinburgh, 27th May 1624; same witnesses. (f. 40.)

Charter to James Mertoun in Galtounsyde of six acres of Galtounsyde, paying yearly £29 10 s., four long carriages or 18 s. for each, and three loads turf or 3 s. 4 d. for each, at the option of the granter, with 2¼ kain fowls. Dated Edinburgh, 27th September 1624; witnesses, George Pringill, John Ellot and Archibald Ellot, servitors to the Earl. (f. 41.)

Charter to John Luikhoip, carpenter in Melrose, of a house and two gardens with the teinds within the precinct of the monastery occupied by the said John Luikhoip, paying yearly £7 and eight days' work. Dated Edinburgh, 27th September 1624; same witnesses. (f. 42.)

Charter to James Pringill, apparent of Bukholme, of that garden called the Gresyaird and the stone dykes

around it with a waste piece of ground or passage between the house of James Ker in Melrose and the garden of John Luikhoip, leading from the highway to the said Gresyaird, lying within the precinct of the monastery, which formerly belonged to the said James Ker, and was resigned by him, paying yearly . . . Dated Edinburgh, 6th December 1624; witnesses, Thomas Lythgow in Reidpeth, William McNab in Cauldstreame, and David McCulloch and Alexander Dicksone, servitors to the Earl. (f. 44.)

Charter to John Anderson in Reidpeth in liferent, and William Anderson, his second son, of that husband land in Reidpeth called Coittisland which formerly belonged to Andrew Holme in Reidpeth, who with consent of Agnes Bruce, his wife, and Nicolas Cairncroce in Reidpeth, resigned, paying yearly 22 s. 4 d., 3 kain fowls and a long carriage, with duplication. Dated Edinburgh, 4th April 1625; witnesses, David McCulloch, John Ellot and Archibald Ellot, servitors to the Earl. (f. 45.)

Charter to Alexander Anderson, lawful son of John Anderson in Reidpeth, of a husband land in Reidpeth, which formerly belonged to Andrew Holme in Reidpeth, who with consent of Agnes Bruce his wife resigned, paying yearly 22 s. 4 d., 3 kain fowls and a long carriage, with duplication. Dated Edinburgh, 4th April 1625; same witnesses. (f. 46.)

Charter to James Currie, Ormond pursuivant, and Janet Bennet his spouse, in liferent, and John Currie their lawful son, of 1¼ husband lands of Newtoune which belonged to Andrew Lethan, carpenter in Dalkeith, who with consent of Helen Currie his wife resigned, paying yearly £29 3 s. 4 d., with 1¼ long carriages or 22 s. 6 d., and 1¼ short carriages or 10 s., and 1¼ loads turf or 4 s. 2 d., in the option of the granter, with 3⅓ kain fowls. Dated Edinburgh, 30th June 1625; witnesses, David McCulloch, George Pringill, John McCairtnay and Archibald Ellot, servitors to the Earl. (f. 48.)

Charter to George Bell in Reidpeth, son of the deceased John Bell there, of a husband land in Reidpeth occupied by

himself, paying yearly 22 s. 4 d., three kain fowls, and a long carriage, with duplication. Dated Edinburgh, 23rd December 1626; witnesses, Mr. Adam Hepburne and George Pringill and Archibald Ellot, servitors to the Earl. (f. 49.)

Charter to John Roger in Reidpeth, son of the deceased John Roger there, of two husband lands in Reidpeth occupied by the said John Roger and Isobel Richesone, his mother, paying yearly 44 s. 8 d. with six kain fowls, two long carriages, and duplication. Dated Edinburgh, 23rd December 1626; same witnesses. (f. 50.)

Charter to Andrew Davidson in Melrose, of a tenement and garden adjoining called The Rude, and a tenement in Little Fordell formerly belonging to John Notman, burgess of Selkirk, paying yearly for the first tenement 25 s., and for the latter 25 s. Dated Edinburgh, 31st January 1627; witnesses, Mr. Adam Hepburne, Mr. Archibald Osuald and Archibald Ellot, servitors to the Earl. (f. 51.)

Charter to Adam Murray in Burnpaigla of a husband land in Lassudden occupied by James Cochrane (reserving the fishings and stone quarries) which formerly belonged to James Pringill, apparent of Bukholme, paying yearly 37 s. 9 d., and 2 s. for four poultry, with duplication and service at the justice ayres and head courts. Dated Edinburgh, 31st January 1627; same witnesses. (f. 53.)

Precept of *Clare Constat,* for infefting William Edgar, son of James Edgar in Melrose, in that dwelling house, barn and garden which was occupied by the said deceased James Edgar; that dwelling house occupied by Janet Freir, widow of the deceased William Edgar, father of the said deceased James Edgar, lying within the precinct of the monastery; six acres of the Annay; half of Bowersbrae, with the teinds; those three tenements in Little Fordell and those six acres of land in Quarelhill and six parts of the Wairds all occupied by the said deceased James Edgar and his sub-tenants, also that croft extend-

ing to nine acres of the Annay, with the teinds, formerly belonging to James Ker, likewise that fourth South garden with the teinds formerly belonging to the said James Ker. Dated Edinburgh, 29th November 1625; witnesses, James Pringill, apparent of Bukholme, David McCulloch and John McCairtney, servitors to the Earl. (f. 54.)

Charter by Thomas, Earl of Melrose, etc., narrating an action before the Lords of Session at his instance as baron of the barony of Dummanie and at the instance of Sir William Oliphant of Newtoun, knight, his Majesty's Advocate, against Alexander Mowbray in Dumannie for the exhibition of all charters and other deeds granted by the said Earl or by Sir Robert Mowbray sometimes called of Barnebougall or by the deceased Sir Robert Mowbray, his father, the deceased John Mowbray, grandfather of the said Sir Robert Mowbray, or by the deceased Robert Bartane *alias* Mowbray and Barbara Mowbray, his wife, or any of them, or by the deceased John Mowbray, his great-grandfather, to the foresaid Alexander Mowbray now in Dummanie, or the deceased William Mowbray, his father, or the deceased Alexander Mowbray, his grandfather, or any other persons or their fathers, grandfathers, great-grandfathers or other predecessors whomsoever, by which they might succeed in right of blood to the four bovates of the town and lands of Dummanie possessed by the said Alexander Mowbray and the deceased Alexander Mowbray, his grandfather, lying on the south side of the said town, in the barony of Dummanie and shire of Linlithgow, in which action sentence was pronounced on 26th March 1622, decerning the said charters, etc., to be null and void; and now the said Earl dispones to his beloved servitor, James Monteithe, and his heirs and assignees the foresaid four bovates of the lands of Dummanie to be held in feu farm, paying yearly £6 with service at the Earl's courts and duplication. Dated Edinburgh, 3rd April 1622; witnesses, Mark Hamilton, Mr. John Hamilton and John Anderson, servitors to the Earl, and George Pringill, servitor to Thomas, Lord Binning.

(f. 55.)

Charter to Mungo Mertoun in Galtounsyde, lawful son of Thomas Mertoun, there, of five acres of Galtounsyde with the teinds, and two acres of land called Pendicleland in Coittyairds, with the teinds, occupied by the said Mungo Mertoun and his sub-tenants, paying yearly for the said five acres £25 0 s. 4 d., with 1½ long carriages or 18 s. for each long carriage and three loads turf or 3 s. 4 d. for each load in the option of the granter, also 1½ kain fowls, and for the two acres £5 6 s. 8 d., with thirlage to the mill of Westhouses, and service at courts. Dated Edinburgh, 16th July 1627; witnesses, Mr. Archibald Osuald, Archibald Ellot and James Lythgow, servitors to the Earl. (f. 57.)

Charter to Nicol Milne, lawful son of Mungo Mylne in Newtoun, of a husband land of Newtoun formerly belonging to John Chisholme of Brokhous, paying yearly £23 6 s. 8 d., also one long carriage or 18 s., one short carriage or 8 s., and one load turf or 3 s. 4 d. with three kain fowls. Dated Edinburgh, 10th July 1627; witnesses, Archibald Ellot and James Lythgow, servitors to the Earl. (f. 58.)

Charter to Thomas Kyle in Lassudden, son of the deceased John Kyle, of a husband land of Lassudden (reserving fishings and quarries), paying yearly 18 s. 6 d. and 12 d. for two poultry. Dated Edinburgh, 26th July 1627; witnesses, Mr. Archibald Osuald, Thomas Fraser and Archibald Ellot, servitors to the Earl. (f. 59.)

Charter to John Hunter in Lassudden, lawful son of Thomas Hunter there, of the quarter of a husband land of Lassudden occupied by the said John Hunter (reserving the fishings and quarries), paying yearly 9 s. 3 d. and 6 d. for a poult. Dated Edinburgh, 28th July 1627; same witnesses. (f. 60.)

Charter to Robert Brydin in Lassudden of a quarter of a husband land occupied by him there (excepting the fishings and stone quarries), paying yearly 9 s. 3 d. and 6 d. for a poult. Dated Edinburgh, 26th July 1627; same witnesses. (f. 61.)

Precept of *Clare Constat*, for infefting Isobel Hardie, lawful daughter of the deceased Hugh Hardie in Blainslie, in $1\frac{1}{2}$ husband lands called the Cairters yairds there, paying yearly 28 s., $1\frac{1}{3}$ long carriages, $3\frac{1}{3}$ kain fowls, with duplication. Dated Edinburgh, 13th August 1627; witnesses, Mr. Adam Hepburne, Mr. Archibald Osuald and Archibald Ellot, servitors to the Earl. (f. 63.)

Charter to Isobel Hardie, whose ancestors have been beyond memory of man native tenants and possessors, of a half husband land in Blainslie occupied by Isobel Strivling, her mother, and which was conquest by the deceased John Hardie, brother of the said Isobel Hardie, from John Davidson in Blainslie, paying yearly 12 s., with half a long carriage, and $1\frac{3}{4}$ kain fowls with duplication. Dated Edinburgh, 13th August 1627; witnesses, James Lythgow, Archibald Ellot and Mr. Adam Hepburne, servitors to the Earl. (f. 63.)

Charter to James Lythgow, eldest lawful son of Thomas Lythgow in Reidpeth, and Isobel Hardie, lawful daughter of Hugh Hardie, portioner of Blainslie, his future spouse, of the $1\frac{1}{2}$ husband lands called the Carters croft, and the other half of the husband land formerly belonging to John Davidson there and afterwards to the said Isobella Hardie, resigned for this new grant, paying yearly for the Carter yairds 28 s., with $1\frac{1}{3}$ long carriages and $3\frac{1}{3}$ kain fowls, and for the half husband land 12 s., with half a long carriage and $1\frac{3}{4}$ kain fowls with duplication. Dated Edinburgh, 15th August 1627; witnesses, David McCulloch, Mr. Adam Hepburne and Archibald Ellot, servitors to the Earl. (f. 65.)

Charter[1] to Nicol Carnecroce, lawful son of William Carnecroce of Colmeslie, of the two husband lands lying on the east side of the town of Reidpeth, formerly belonging to Andrew Holme, portioner of Reidpeth, who, with consent of Agnes Bruce his wife resigned, paying yearly 44 s. 8 d., six kain fowls and two long carriages, with duplication, and thirlage to the mill of Reidpeth. Dated

[1] From this point the granter's title is Earl of Haddington.

Edinburgh, 7th June 1628; witnesses, David McCulloch, Mr. Archibald Osuald, Thomas Fraser and Archibald Ellot, servitors to the Earl. (f. 66.)

Charter by Nicol Carnecroce, lawful son to William Carnecroce of Colmeslie, with consent of Isobel Pringill his spouse, to James Lythgow, servitor to the Earl of Haddington, of two husband lands lying in the east end of Reidpeth, under reversion. Dated 27th June 1628. (f. 67.)

Charter confirming the immediately foregoing charter dated Edinburgh, 21st July 1628; witnesses, Mr. Adam Hepburne, Thomas Fraser and Archibald Ellot, servitors to the Earl. (f. 47.)

Precept of *Clare Constat*, for infefting Thomas Gaustoun as heir to his father David Gaustoun in Lassudden in 1¼ husband lands in Lassudden, paying yearly 46 s. 3 d., with 2 s. 6 d. for five poultry, with thirlage to the mill of Newtoun. Dated Edinburgh, 27th July 1629; witnesses, James Monteithe, Mr. William Brown and Archibald Ellot, servitors to the Earl. (f. 67.)

Precept of *Clare Constat*, for infefting Robert Cunra as heir to his brother german, Thomas Cunra in Lassudden, in a half husbandland in Lassudden (excepting fishings, stone quarries, etc.), paying yearly 8 s. 6 d. and 12 d. for two poultry, with duplication, and thirlage to the mill of Newtoun. Dated Tunynghame, 21st October 1630; witnesses, Mr. Archibald Osuald, Clement Kincaid and Archibald Ellot, servitors to the Earl. (f. 68.)

Precept of *Clare Constat*, for infefting Thomas Mar in Newsteid as heir to his deceased father, Alexander Mar in Newsteid, in 12 acres of Newsteid, and four acres called four pendicle acres in Coittyairds of Newsteid, with the teinds, paying yearly for the said 12 acres £24 10 s. and for the 4 acres £6, with 1½ long carriages or 27 s., three short carriages or 8 s. for each, 4½ loads turf or 3 s. 4 d. for each at the option of the granter, with six kain fowls, thirlage to the mill of Melros, and service at courts. Dated Tunynghame, 21st October 1630; same witnesses. (f. 69.)

Precept of *Clare Constat,* for infefting Walter Coitt in Lassudden as heir to his uncle, Patrick Kyle in Lassudden, in three butts of land lying in that part of Lassudden called Laddit, and a tenement and yard in Lassudden (excepting the fishing and stone quarries), paying yearly 3s. 4 d., with thirlage to the mill of Newtoun and service in courts. Dated Edinburgh, 14th December 1630; witnesses, Clement Kincaid, James Brown and Archibald Ellot, servitors to the Earl. (f. 70.)

Charter to George Ker, portioner of Fodderlie, of 1½ husband lands in Lassudden formerly belonging to Thomas Kyle, portioner of Lassudden, which he with consent of Margaret Jamieson his spouse and John Kyle his son resigned, paying yearly 55 s. 6 d., and 3 s. for six poultry, with thirlage to the mill of Newtoun. Dated Edinburgh, 12th January 1631; witnesses, James Brown, John Johnstoun and Archibald Ellot, servitors to the Earl. (f. 70.)

Charter to William Wallace, notary in Melros, of a dwelling house in Melros formerly occupied by Mr. Robert Brown, notary, lying between the highway on the east, the garden of James Nicol on the west, the prison of Melros on the north, and the dwelling house of John Brown in Kelso on the south, paying yearly 3 s. 4 d., with service in courts. Dated Edinburgh, 12th January 1631; same witnesses. (f. 72.)

Precept of *Clare Constat* for infefting John Walker in Dernik as heir to his father John Walker in ten acres of Dernik with buildings thereon, paying yearly ten bolls barley, Melrose measure, 13 pecks to the boll, with five kain fowls and two long carriages, each for the distance of 24 miles, and one short carriage for the distance of 12 miles or thereby, also 27 s. 6 d. in the first year of the entry of any heir, with forensic service. Dated Edinburgh, 27th June 1631; witnesses, Mr. Adam Hepburne, William Wolff and Archibald Ellot, servitors to the Earl. (f. 72.)

Charter to William Chisholme, portioner of Dernick, of three husband lands of Eildoune which formerly belonged

to James Scott, brother german of the deceased Sir Walter Scott of Whitslaid, paying yearly £60 with three long carriages or 18 s. for each, three short carriages or 8 s. for each, and three loads turf or 3 s. 4 d. for each, in the option of the granter, also nine kain fowls. Dated Edinburgh, 23rd July 1631; witnesses, James Brown, William Wolff and Archibald Ellot, servitors to the Earl. (f. 73.)

Charter to Thomas Kyle in Lassudden of a garden and four pieces of land called the Four Toft Butts there, formerly belonging to Thomas Kyle, his father's brother, presently occupied by him (excepting the fishings, stone quarries, etc.), paying yearly 3 s. 4 d., with thirlage to the mill of Newtoun and duplication. Dated Edinburgh, 17th January 1632; witnesses, James Brown, John Johnston and Archibald Ellot. (f. 74.)

Tack to Alexander Anderson, eldest lawful son of John Anderson, portioner of Reidpeth, of the lands called Sorrolesfeild, with the teinds, presently occupied by John Fisher, for seven years, paying yearly 500 merks. Dated Edinburgh, 23rd January 1632; witnesses, David McCulloch, Archibald Ellot and James Broune, servitors to the Earl. (f. 75.)

Tack to John Fisher in Sorrowlesfeild of the lands of Drygrange, with the teinds, for seven years, paying yearly £600. Dated Edinburgh, 23rd January 1632; witnesses, David McCulloch, Ninian Chirnesyde and James Brown, servitors to the Earl. (f. 76.)

Tack to James Lidderdeane and John Hardie in Keadislie equally between them of the lands of Claikmae in the parish of Ersiltoun and shire of Roxburgh, with the teinds, presently occupied by Michael Fisher and Thomas Lythgow, for seven years, paying yearly 450 merks. Dated Edinburgh, 23rd June 1632; witnesses, David McCulloch of Gutters, Alexander Mitchell, his servant, George Wauch and Mr. Adam Hepburne, servants to the Earl, and David Urquhart, servant to Thomas, Lord Binning. (f. 78.)

Tack to Michael Fisher of Dernik of the lands of Cairtleyis, Foulercroft, Onderbank, Newfuirdhauch, and Mar-

islie, with the teinds, occupied by the said Michael Fisher, for five years, paying yearly 530 merks, and for Marislie 70 merks. Dated Melrose and Edinburgh, 9th and 11th February 1632; witnesses, Thomas Lithgow, portioner of Ridpeth, George Frater in Langhauch, William Wallace, notary in Melrose, and William Wallace, his servitor.

(f. 78.)

Tack to Robert Trotter in Housbyre of the Earl's lands on the east side of Housbyre, with the teinds, presently occupied by the said Robert Trotter, for seven years, paying yearly 350 merks. Dated Edinburgh, 14th February 1632; witnesses, David McCulloch, James Broune and Archibald Ellot, servitors to the Earl.

(f. 79.)

[On the margin this tack is cancelled and a new one granted for 380 merks.]

Tack to Michael Fishar, portioner of Dernik, of the lands of Auld Melrose for seven years, paying yearly 500 merks. Dated Edinburgh, 22nd March 1632; witnesses, James Broune, George Wauch and Archibald Ellot, servitors to the Earl. (f. 80.)

Tack to Alexander Smith in Bancreiff of the lands of Banglaw presently possessed by Richard Smith, with the teinds, also the lands of Caldro Milne and mill lands presently possessed by James Stein, within the constabulary and parish of Haddington and sheriffdom of Edinburgh, for nine years, paying yearly for Banglaw one chalder wheat, one chalder beir and two chalders six bolls oats, Haddington measure, and for Caldro 20 bolls wheat, 20 bolls beir and two chalders and 14 bolls oats, like measure. Dated Edinburgh, 23rd April 1632; witnesses, David McCulloch, James Lythgow and James Broune.

(f. 81.)

Tack to George Frater in Langhauch for himself and taking burden for John Frater and Andrew Smyth, rentallers of Langhauch, of the teinds of Langhauch for 19 years, paying yearly 50 merks. Dated Edinburgh, 23rd April 1632; same witnesses. (f. 82.)

Tack to James Sweit in Elleistoune, John Laidlay there and William Mylne in Newtoun, of the lands of Cammestoune, with the teinds, which they presently possess, paying yearly 43 bolls beir, Jedburgh measure, and two dozen capons. Dated Edinburgh and Melrose, 9th and 12th February 1632; same witnesses, and William Mill, Michael Fischer in Ald Melrose, James Pringle, fiar of Bucholme, Thomas Lythgow, portioner of Ridpeth, and Robert Meane, mason in Newsteid. (f. 83.)

Charter to Margaret Anderson, spouse of John Eccles in Newtoun, sister german and nearest heir to the deceased James Anderson in Newtoun, of that half husband land of Newtoun, with the barn and garden formerly belonging to Thomas Cochrane, and the house and garden formerly belonging to James Cochrane, presently occupied by the said Margaret Anderson and her spouse, paying yearly for the said half husband land £11 13 s. 4 d., half a long carriage, half a short carriage, half a load turf and 1½ kain fowls, and for the said barn and garden and house and garden 2½ kain fowls. Dated Edinburgh, 2nd June 1632; witnesses, Mr. Adam Hepburne, David McCulloch and Archibald Ellot, servitors to the Earl. (f. 83.)

Tack to Thomas Lithgow, portioner of Ridpeth, and William Edgar in Melrose of the yeards of Melrose called the Abbots yeard, the East yeards, the bak house yeards, and James Bouston's yeards, with the teinds, presently occupied by them, for seven years, paying yearly 32 bolls beir, Jedburgh measure; also the lands called Pryorwood, presently possessed by the said William Edgar, paying yearly 50 merks. Dated Melrois and Edinburgh, 8th and 9th June 1632; witnesses, James Pringle, fiar of Bukholme, John Pringle, his son, Michael Fisher, portioner of Dernek, and David McCulloch, Archibald Ellot and James Broune, servitors to the Earl. (f. 85.)

Charter to Agnes Creich, widow of Charles Symsone, mason, burgess of Inverkeithing, and John Symsone their lawful son, whose predecessors have beyond memory of

man possessed the tenement and garden underwritten, of that tenement with garden called Meldrums yaird lying between the lands of Mark Burgan on the north, the garden called the Bread yaird belonging to Mark Duncan, and the garden of Andrew Adisone and some other yards on the south, the mill dam of the said burgh on the east, and the highway on the west, within the barony of Inverkeithing, paying yearly 13 s. 4 d., with duplication. Dated Edinburgh, last February 1632; witnesses, Archibald Ellot, John Ellot and James Broune, servitors to the Earl.

(f. 86.)

Confirmation by Thomas, Earl of Haddington, etc., and Thomas, Lord Binning, of a charter by John Scott, sometime of Selvage, burgess of Inverkeithing, to William Orroke of Balraine of the lands of Selvage, and sasine following thereupon dated 4th May and registered 15th June 1631. The confirmation is dated Edinburgh, 14th May 1632; witnesses, David McCulloch, Mr. Adam Hepburne, Archibald Ellot and James Broun, servitors to the Earl. (f. 87.)

Charter by the Earl and Lord Binning, to John Bairdie, burgess of Inverkeithing, of the lands of Selvage in the barony of Inverkeithing and shire of Fife, which lands formerly belonged to William Orrok of Balrain, paying yearly £3. Dated Edinburgh, 20th June 1632; same witnesses. (f. 87.)

Charter by the Earl to James Lythgow, his servitor, of a sixth part of the lands of Craig *alias* Craighouse occupied by the said James Lythgow and his tenants, in the parish of Ersiltoun, paying yearly £10, with thirlage to the mill of Ridpeth. Dated Edinburgh, 5th May 1632; witnesses, Clement Kincaid, Edward Pareis and James Broun, servitors to the Earl. (f. 89.)

[At the end is written 'Thomas Lythgow consents.']

Charter to Alexander Anderson, lawful son of William Anderson in Ridpeth, whose ancestors have been native tenants past memory of man, of a sixth part and half a sixth part of said lands, paying yearly £15, with thirlage

to the mill of Reidpeth. Dated Edinburgh, 5th May 1632; witnesses, Clement Kincaid, James Broun and James Lythgow, servitors of the Earl. (f. 90.)

Charter to Andrew Cairncroce, whose ancestors have been native tenants past memory of man, of a sixth part and half a sixth part of said lands, paying yearly £15, with thirlage to the mill of Ridpeth. Dated Edinburgh, 5th May 1632; same witnesses. (f. 90.)

Charter to John Anderson in Ridpeth, whose ancestors have been native tenants past memory of man, of a sixth part of said lands, paying yearly £10, and thirlage to the mill of Ridpeth. Dated 5th May 1632; same witnesses. (f. 91.)

Charter to John Roger in Ridpeth, whose predecessors have been native tenants past memory of man, of half a sixth part of said lands, paying yearly £5, with thirlage to the mill of Ridpeth. Dated Edinburgh, 5th May 1632; same witnesses. (f. 92.)

Charter to George Bell in Ridpeth, whose ancestors have been native tenants past memory of man, of half a sixth part of said lands, paying yearly £5, with thirlage to the mill of Ridpeth. Dated Edinburgh, 5th May 1632; same witnesses.

Precept of *Clare Constat*, by the Earl and Lord Binning, for infefting Mr. John Echlyne, minister at the church of —— within the kingdom of Ireland, as heir to his deceased father, Andrew Echlyne, sometime servitor to John, Lord Lyndsay, in the 40 s. lands of Dailles in the barony of Inverkeithing, occupied by the said Mr. John Echlyne and his tenants. Dated Edinburgh, 25th August 1632; witnesses, Alexander Chrystesone, Archibald Ellot, George Wauch and James Broun, servitors to the Earl. (f. 93.)

Charter to Thomas Meyne in Eildoun of a husband land and a piece of land called Monkscroft of the lands of Eildoun, with the teinds, paying yearly £23 6 s. 8 d., with a long carriage or 18 s., a short carriage or 8 s., and a load turf or 3 s. 4 d. at the option of the granter. Dated

Edinburgh, 20th August 1632; witnesses, James Broun, William Wolf and James Lythgow, servitors to the Earl. (f. 94.)

Charter to Thomas Mar in Newsteed of three acres of the pendicleland called Howland, and three acres of the pendicleland in Monkslands, and two acres of Newsteed, formerly belonging to John Vair, with the teinds, paying yearly for Howlands £3 15 s., for Monksland 56 s. 6 d., and for the two acres of Newsteed £3 15 s., in all £10 6 s. 6 d., also a short carriage or 8 s. and a load turf with one 'cray of coull' or 3 s. 4 d., with thirlage to the mill of Melrose. Dated Edinburgh, 23rd August 1632; witnesses, David Urwhart, James Broun and James Lythgow, servitors to the Earl. (f. 95.)

Tack to John Fortoun in Pensheill of the lands of Pensheill, with the teinds, presently possessed by the said John Fortune, in the parish of Quhittinghame and constabulary of Haddington, for seven years, paying yearly 640 merks. Dated Edinburgh, 17th December 1632; witnesses, Ninian Chirnesyde, William Woulff, Alexander Hamilton and George Wauch, servitors to the Earl. (f. 96.)

Tack to Thomas Mar, younger, in Newsteed, of 7½ acres of land in Annay of Melrose, with the teinds, paying yearly payment of 7½ bolls barley, Jedburgh measure, and 7½ capons. Dated Edinburgh, 18th January 1633; witnesses, William Lupe *alias* Wolf, Thomas Sheal and James Lythgow, servitors to the Earl (f. 97.)

Tack to James Nicoll, portioner of Melrose, of the teinds of Melrose, including the whole yairds within the precinct, Little Fordell and other yairds in the town of Melrose, with the vicarage teinds of Danzeltoun, for five years, paying yearly 40 merks. Dated Edinburgh, 19th March 1633; witnesses, David McCulloch, Ninian Chirnesyde and James Broun, servitors to the Earl. (f. 98.)

Tack to John Cossar in Kaidslie of the piece of land called Kaidsliedooris, or Cossarslands, occupied by the said

John Cossar, for seven years, paying yearly £40. Dated Edinburgh, 18th March 1633; witnesses, David Mackullo, Thomas Sheill and James Broune, servitors to the Earl. (f. 99.)

Factory to George Bell in Ridpeth, appointing him chamberlain for the collecting of the Earl's rents within the barony of Caldstreame, dated Melrose and Edinburgh, 8th and 12th May 1633; witnesses, James Nicoll, portioner of Melrose, William Nicoll, his son, Andrew Twno, notary there, Archibald Ellot, Clement Kincaid and James Broune, servitors to the Earl. [There is a similar appointment by Thomas, Lord Binning.] (f. 100.)

Bond of Caution by George Bell, portioner of Ridpeth, for the faithful discharge of his office of chamberlain, his cautioners being David Meyne, 'challender,' portioner of Newsteid, and Alexander Anderson in Sorowlesfeild. Dated Edinburgh, 29th April, and Melrose, 4th May 1633; witnesses, Ninian Chirnesyde, Thomas Sheill and James Broune, servitors to the Earl, John Meyne, eldest son of the said David Meyne, William Anderson, brother to the said Alexander Anderson, and Andrew Twno, notary in Melrose. (f. 100.)

Tack to James Miller in Knowes and Alexander Bie there of the lands of Knowes and Kirklandhill occupied by them, also that piece of land called the Bellpottis possessed by Beatrix Milnetoun, with the pertinents, possessed by the said James Miller and Alexander Bie, lying besouth the water of Tyne in the constabulary of Haddington and parish of Tyninghame, reserving the dovecots and grazing for four horses, also a cow's grass set to Christian Kelly in Knowesmilne, for nine years, paying yearly 8 chalders wheat, 11 chalders bere and 12 chalders oats, Haddington measure, the same to be carried to the harbours, towns and ports of Dunbar, North Berwick, Haddington, Tynemouth, or any of them at the option of the Earl. Dated Edinburgh, 31st May 1633; witnesses, David McCulloch, Alexander Cunnyghame, Archibald Ellot and James Broun, servitors to the Earl. (f. 101.)

Tack to John Kyle in Ersiltoun for himself and Thomas Kyle, his son, for their lifetimes, of two acres infeildland lying upon the west side of the water of Leader, also 12 acres outfeildland called Breadstruther or Windilawes, possessed by the said John Kyle, paying yearly 40 s. for each acre infeildland and 20 s. for each acre outfeildland, together £16. Dated Edinburgh the 3rd and Melrose the 6th April 1633; witnesses, William Woulff, Thomas Sheill and James Broun, servitors to the Earl, James Pringill, fiar of Bukholme, and Thomas Lithgow in Ridpeth.

(f. 102.)

Procuratory of Resignation of Thomas, Earl of Haddington, appointing —— to resign in the hands of one of the bailies of the burgh of South Queensferry his tenement of land lying therein between the lands of Helen and Catherine Thomson, heirs of the deceased John Thomson, on the east, the lands of Richard Davidson, now of John Wilson, called the Palleis, on the west, the seaside upon the north, and the highway upon the south, being part and pertinent of the lands of Murehill, lying within the lordship of Dunfermline and shire of Linlithgow, in favour of Robert Hill, mariner in South Queensferry, and Elizabeth Pontone his spouse, who have paid to him a certain sum of money therefor. Dated Edinburgh, 4th December 1633; witnesses, David McUlloch, James Monteithe and James Broun, servitors to the Earl, and James Hill, brother german to the said Robert Hill.

(f. 103.)

Disposition of the sixteenth part and thirty-second part of the water passage upon the water of Forth to Robert Hill, mariner in South Queensferry, and Elizabeth Pontone his spouse, with all privileges and pertinents thereto pertaining, paying yearly 5 s. Dated Edinburgh, 4th December 1633; same witnesses. (f. 104.)

Charter to John Pringill in Drem of the lands of Mungoeswellis possessed by James Smith in West Fenton, within the barony of Byres and parish of Haddington, for seven years, paying yearly 41 bolls one firlot wheat, 59 bolls 2

firlots bere, and 10 bolls oats, Haddington measure. Dated Edinburgh, 10th January 1684; witnesses, David McCulloch, Archibald Ellot and James Broun, servitors to the Earl, and Hugh Fisher, servitor to Mr. John Ellot. (f. 106.)

Tack with consent of John Pringill in Drem, to James Spence, lawful son of Robert Spence in Byres, the said Robert Spence being cautioner, of the lands in Drem possessed by the said John Pringill, with the teinds, for seven years, paying yearly 25 bolls bere, 24 bolls wheat and 13 bolls oats, Haddington measure. Dated Edinburgh, 10th January 1634; same witnesses. (f. 107.)

Letter of Bailiary by Thomas, Earl of Haddington, appointing John McKilvean of Grimet as baillie of the lands and barony of Melrose within the bailiary of Carrick and shire of Ayr, and for uplifting the rents, etc., of the barony of Monkland in Carrik. Dated Edinburgh, 28th January 1634. (f. 108.)

Tack to John Fortoun and William Dodds in Pensheill of the lands of Preistlaw in Lamermuire, with the teinds, in the constabulary of Haddington, for nine years, paying yearly 700 merks. Dated Edinburgh, 26th February 1634; witnesses, Ninian Chirnesyde, William Wolff, Thomas Sheill and James Lythgow, servitors to the Earl. (f. 109.)

Charter to William Barrie of the 11½ acres of land in Gatonsyde apprised at the instance of Elizabeth Thomsone, lawful daughter of the deceased Thomas Thomsone in Gattonsyde, and the said William Barrie, her husband, from Alexander Barrie in Gattonsyde and the deceased Elizabeth Cook, his spouse, who was widow of the said deceased Thomas Thomsone, for a debt of £589 6 s. 8 d. and sheriff fee of £29 9 s. 4 d. on 5th December 1633; paying yearly the rents and duties formerly paid. Dated Edinburgh, 6th March 1634; witnesses, David McCulloch, Mr. Adam Hepburne and James Broun, servitors to the Earl. (f. 109.)

Charter to Thomas Bell of the lands of Easter Langlie occupied by himself, resigned by James Cairncroce, younger

of Colmslie, paying yearly £6 and five stones butter or 6 s. 8 d. for each stone in his option, with duplication, and thirlage to the mill of Westhouses. Dated Edinburgh, 26th June 1634; witnesses, Ninian Chirnesyde, George Ramsay and James Lithgow, servitors to the Earl.

(f. 111.)

Charter to John Sclaitter in Eildoune of 3½ husband lands of Eildoune, with the teinds, paying yearly £81 13 s. 4 d. with 3½ long carriages or 18 s. for each, 3½ short carriages or 8 s. for each, and 3½ loads turf or 3 s. 4 d. for each, with ten kain fowls. Dated Edinburgh, 19th June 1634; witnesses, Archibald Ellot, James Broun and James Lythgow, servitors to the Earl. (f. 112.)

Charter to Thomas Middelmist in Eildoune of two husband lands of Eildoune, with the teinds, paying yearly £46 13 s. 4 d., two long and two short carriages and two loads of turf, or their equivalents in money, with six kain fowls. Dated Edinburgh, 26th June 1634; witnesses, Ninian Chirnsyde, George Ramsay and James Lythgow, servitors to the Earl. (f. 113.)

Charter to William Wallace, notary in Melrose, of that croft of land, with teinds and pertinents, presently occupied by himself, lying at the west gate of the Abbey of Melrose, within the wall on the east, south and west and *amnis* (?) *molendini* (mill-stream) of the said Abbey on the north, also that 'cavill' of land in the Waird of Melrose lying 'rinrig,' also all and whole that medow lying at the east end of the town of Melrose called the Monkes medow with the arable lands and teinds thereof, also that half acre of the Annay of Melrose, with the teinds, lying in Bishopflatt consisting of a daill lying between the rig of Thomas Stenhous on the south and the rig of John Bower on the north, and consisting of a rig lying not far from the public highway of Bishopflatt, also that 'onsteid' of houses back and fore under and above, with gardens, middingsteid and all other pertinents, presently occupied by the said William Wallace; which croft of land, cavill of Wairds and Monkes medow formerly belonging to Robert Wallace in Melrose and Margaret Trotter his spouse, and half acre

of the Annay of Melrose formerly belonging to Mr. Thomas Ker, portioner of Melrose, and Margaret Knox his spouse, and 'onsteid' of houses, etc., formerly belonging to John Wallace, baker in Melrose, Elizabeth Chisholme his spouse, and William Wallace, their eldest son, were resigned by them in favour of the said William Wallace; paying yearly for the said croft of land, etc., three bolls two firlots barley, with 3½ kain fowls; for the cavill of land of Wairds 15 s.; for the Monkes medow £3; for the half acre of Annay half a boll barley and half a kain fowl; for the 'onsteid' of houses, etc., four merks with five 'sheire dargs,' with duplication, and thirlage to the mill of Melrose. Dated Edinburgh, 5th June 1634; witnesses, David McCulloch, James Lythgow, Thomas Sheill, Ninian Chirnsyde and James Brown, servitors to the Earl. (f. 114.)

Precept of *Clare Constat,* for infefting William Cooke as heir to his father the deceased Robert Cooke, portioner of Melros, in that tenement or 'onsteid' with garden, etc., presently occupied by Robert Gibson, lying within the monastery, paying yearly 20 s. and three 'darges,' with duplication. Dated Edinburgh, 6th July 1634; witnesses, Ninian Chirnsyde, Archibald Ellot, James Lythgow and James Broun, servitors to the Earl. (f. 116.)

Charter to Robert Gibson, indweller in Melrose, of the tenement described in the immediately preceding precept, resigned by the said William Cook. Dated Edinburgh, 3rd July 1634; same witnesses. (f. 117.)

Tack to Alexander Bie in the Knowes of the lands of Kempshill with houses, pertinents and teinds, including therein four acres of land possessed by Janet Hay in Kempshill, lying within the parish of Stenton, for 13 years, paying yearly ten bolls of wheat, fifteen bolls beir and twenty-eight bolls oats, Haddington measure, to be carried to Dunbar, Haddington, North Berwick or any other part of like distance as shall be required. Dated Edinburgh, 24th August 1635; witnesses, David McCulloch, Archibald Ellot and James Broun, servitors to the Earl. (f. 118.)

Tack to Christian Kellie in Knowis mylne and James Fae, her son, of the two mills of the Knowis, with multures, etc., also pasturage on the lands of Knowis and Kirklandhill and Tynninghame on the south side of the Water of Tyne, for seven years, paying yearly two bolls beir, twenty bolls wheat and twenty bolls oats, with twelve capons and twelve hens, with carriage of the said grain as required. Dated Edinburgh and Tynninghame, 24th and 31st August 1635; witnesses, James Fairley, Alexander Cunningham, William Merser and George Schorteous, also David McCulloch, Archibald Ellot and James Brown, servitors to the Earl. (f. 119.)

Tack to John Sheill in Ersiltoun of the lands of Hauchhead possessed by the said John Sheill with the teinds, also the two corn mills of Ersiltoun in the parish of Ersiltoun for five years, paying yearly for the lands of Hauchhead 200 merks, and for the two corn mills 508 merks, making together 708 merks. Dated Edinburgh, 22nd September 1635; witnesses, David McCulloch and James Broun, servitors to the Earl. (f. 120.)

Tack to Alexander Anderson, eldest lawful son of John Anderson, portioner of Ridpeth, of the lands of Sorrowlesfeild, with the teinds, for 15 years, paying yearly 550 merks. Dated Edinburgh, 2nd October 1636 (*sic*); witnesses, George Ramsay, James Broune and Alexander Donaldson, servitors to the Earl. (f. 121.)

Tack to Alexander Pringill of the lands of Drygrange, with the teinds, occupied by John Fisher, for seven years, paying yearly 1000 merks. Dated Edinburgh, 10th December 1635; witnesses, David McCulloch, Mr. John Hamilton and James Broune, servitors to the Earl. (f. 122.)

Tack to John Cochrane, gardener in Coldingknows, of the wairds of Coldingknows as bounded by an old dyke lying benorth the place of Coldingknows, with pasturage at the Mains of Coldingknows, also the yairds of Coldingknows possessed by the said John Cochrane, in the parish of Erslingtoun, for five years, paying yearly £60. Dated

Ersiltoun, 14th December 1635; witnesses, James Pringill of Bukholme and John Pringill, his eldest lawful son, Alexander Pringill in Ridpeth and Alexander Anderson there, John Lermonth of that ilk and Archibald Ellot, James Broun and John Logane, servitors to the Earl. (f. 123.)

Tack to William Fisher, son of Michael Fisher, portioner of Dernik, of the lands of Auld Melros with the teinds and salmon fishing on the Water of Tweed, occupied and possessed by the said Michael Fisher for ten years, for yearly payment by the said William Fisher as principal and his father, Michael Fisher, as cautioner, of 500 merks. Dated Melrose and Edinburgh, 20th and 25th December 1635; witnesses, Alexander Elleis, maltman in Melrose, and James Elleis, his son, and David McCullo, James Brown and John Logane, servitors to the Earl. (f. 123.)

Tack to Alexander Fischer in Darnik of the lands of Cairtleyis, Suttorcroft, Meirbank, Newfuird, Newfuirdhauch and Marslie, with the teinds, presently occupied by Michael Fisher, for ten years, paying yearly, with Thomas Lythgow in Melrose as cautioner, 530 merks for the first-mentioned lands, and for Marslie 70 merks, in all 600 merks. Dated Melrose and Edinburgh, 20th and 25th December 1635; same witnesses. (f. 124.)

Backbond by Alexander Fisher, son to Michael Fisher in Darnik, promising the Earl who has set in tack to him the lands mentioned in the previous tack that he will permit the tenants of Bridgend to possess and labour that third and portion of the said lands which they presently possess during the period of the tack, paying the duty which they presently pay. Dated Melrose, 20th December 1635; witnesses, Alexander Elleis, maltman in Melrose, and James Elleis, his son. (f. 125.)

Tack to Charles Stevinsone in Craikisfurd of the teinds of the infield and outfield acres of the lands of Craikisfurd ying bewest the Water of Leidder, between the lands of Clackmae and Sorrowlisfeild, for the crop and year 1636, the said Charles Stevinsone, with Charles Stevinsone, his

eldest lawful son, as cautioner, paying therefor 100 merks at Martinmas 1636. Dated Melrose, 20th and 25th December 1635; witnesses, Thomas Lythgow in Melrose, John Edyar and Walter Elleis there, David McCulloch and James Broun, servitors to the Earl. (f. 126.)

Tack to Thomas Lythgow, John Wauch and Robert Gibson, in Melrose, of the two corn mills of Melrose with the multures etc. thereof, for seven years, paying yearly £600. Dated Edinburgh and Melrose, 26th and 29th August 1635; witnesses, David McCulloch, Mr. John Hamilton, George Wauch, John Logane and James Lythgow, servitors to the Earl, James Pringill of Bukholme, Alexander Eleis and James Eleis, his son. (f. 127.)

Charter by Thomas, Earl of Haddington, etc., and Thomas, Lord Binning, his eldest lawful son, to David Meyne, weaver in Newsteid, of eight acres of Newsteid, that half acre called Heulabutt, ten acres of Newsteid, four acres of Newsteid, three acres in Heulabutts in Newsteid, and a third part of three acres called Monkland, with the teinds, all occupied by the said David Meyne, which eight and a half acres of Heulabutts belonged to Alison Johnston and Adam Bell, her husband, which ten acres formerly belonged to William Broun, portioner of Newsteid, which four acres formerly belonged to Bernard Bell, portioner of Newsteid, which three acres in Heulabutts and third part of those three acres called Monkland formerly belonged to Thomas Mare, portioner of Newsteid, who all resigned the same in favour of the said David Meyne; paying yearly for the said eight acres £15 with one long carriage, two short carriages, three loads of peats or their equivalents in money, and 14 kain fowls; and for the half lands of Heulabutt 19 s., for the 10 acres £18 15 s., with one long carriage, three short carriages and four loads turf or their equivalents in money, and five kain fowls; for the four acres £7 10 s., with two short carriages and two loads turf, or their equivalents in money, and one and a half kain fowls; for the three acres of Heulabutts £3 15 s., and for the third part of Monksland £2 10 s. Dated Edinburgh, 6th January 1636; wit-

nesses, James Lythgow, James Broun, John Logane and Thomas Sheill, servitors to the Earl. (f. 127.)

Precept in favour of James Bryden as heir to his father, the deceased Robert Bryden in Lessudden, in a quarter of a husband land formerly occupied by the said deceased Robert Bryden, and another quarter of that husband land formerly occupied by the deceased John Coat in Lessudden, called Jokieland, and in a tenement with croft called Wester Loncroft formerly belonging to the deceased Henry Coat in Lessudden, paying yearly for the said husband land 18 s. 6 d. and 12 d. for two poultry, and for the tenement and croft 4 s. 2 d., with thirlage to the mill of Newton, and duplication. Dated Edinburgh, 6th [Jan. or Feb.] 1636; witnesses, James Lythgow, Ninian Chirnesyde and James Broun, servitors to the Earl. (f. 129.)

Letter of Gift by Thomas, Earl of Haddington, and Thomas, Lord Binning, his son, to Archibald Ellott, his servitor, of the liferent escheat of Andrew Plumber, writer in Edinburgh, of 3¼ husband lands, namely, ¾ of a husband land occupied by the deceased Thomas Jamesone in Lessuddin, with the dovecot lately built thereon, ¾ of a husband land occupied by the deceased William Jamesone there, a half husband land occupied by the deceased Walter Davidson there, and quarter of a husband land occupied by the deceased George Pattoun in Lassudden, quarter of a husband land occupied by the deceased Thomas Broun there, half a husband land occupied by ——, and a quarter husband land occupied by ——, all within the lands of Lessudden, since the denunciation of the said Andrew Plumbar to the horn on 8th February 1626 at the instance of Alexander Hagie, writer, servitor to John Dunlop, procurator fiscal of the commissariot of Edinburgh, and Euphane Lermont, his spouse, and on 21st June 1625 at the instance of the said Alexander Haigie as assignee of Mr. John Annand, lawful son of the deceased Alexander Annand of Murraystoun. Dated Edinburgh, 14th November 1635; witnesses, James Lythgow, Mr. John Hamiltoun, James Broun and John Logane, servitors to the Earl.

(f. 130.)

Confirmation by the Earl of a Charter by the said Andrew Plumbar to Alexander Hagie and Eupham Leirmonth of the above subjects (exclusive of the last two items) extending to 2½ husband lands, under reversion, dated 16th November 1635. Confirmation dated Edinburgh, 2nd December 1635; witnesses, Ninian Chirnsyd, Mr. John Hamilton, James Lythgow and James Brown, servitors to the Earl. (f. 131.)

Charter by the Earl and Lord Binning, to David McCullo, servitor to the Earl, of 2½ husband lands, namely ¾ of a husband land occupied by the deceased Thomas Jamesone in Lassudden, with the dovecot lately built thereupon, ¾ of another husband land occupied by the deceased William Jamesone there, a husband land occupied by the deceased . . . Jamesone [*sic*] there, quarter of a husband land occupied by the deceased George Paton in Lassudden, and quarter of a husband land occupied by the deceased Thomas Broun (reserving the fishing on the Water of Tweed, stone quarries, etc.), resigned by Alexander Haygie, writer, servitor to John Dunlop, procurator fiscal of the commissariot of Edinburgh, and Euphame Lermonth his spouse, paying yearly £4 12 s. 6 d., and 5 s. for ten poultry, with thirlage to the mill of Newton, and duplication. Dated Edinburgh, 6th January 1636; witnesses, Mr. John Hamiltoun, John Logan and Alexander Donaldson, servitors to the Earl. (f. 132.)

Tack by Thomas, Earl of Haddington, and by Sir James Foulles of Colinton, knight, Sir Patrick Hamiltoun of Little Prestoun, David McCullo of Gutters, and Mr. Adam Hepburne, servitors to the Earl of Haddington, as factors and commissioners for Thomas, Lord Binning, fiar of the said lands, to Robert Trotter in Housbyre for 11 years of the lands of [east side of Housbyre] with the teinds, lying within the lordship of Melrose. Dated Edinburgh, 15th March 1636; witnesses, Mr. John Hamiltoun, James Broun and John Logane, servitors to the Earl. (f. 133.)

Tack to Alexander Smith in Muretoun of the lands of Muretoun, with the kirk lands thereof, occupied by the said

Alexander Smith, with the teinds, lying within the barony of Byres and constabulary of Haddington, for nine years. paying yearly 37 bolls of . . . [*torn*] . . . bolls wheat, . . . oatmeal, 24 hens, 24 shearing days' work at the Mains of Byres, thirlage to the mills of the barony of Byres, and to sow 6 bolls pease yearly on his land, and carry yearly to the Mains of Byres 2 threaves oatstraw and 2 threaves berestraw. Dated Edinburgh, 6th June 1636; witnesses, David McCullo, Archibald Ellot, John Logan and James Broun, servitors to the Earl. (f. 134.)

Tack to William Wallace, notary in Melrose, William Edzear, portioner thereof, Alexander Eleis, maltman there, and Thomas Law, weaver there, of the vicarage teinds of the town and lands of Melrose for three years, paying yearly . . . [*torn*]. Dated Melrose and Edinburgh, 10th and 16th August 1636; witnesses, Thomas Lythgow, portioner of Ridpeth, James Eleis, son to the said Alexander Eleis, and James Lythgow and John Logan, servitors to the Earl. (f. 136.)

Charter by the Earl and Lord Binning to George Donaldson of those lands of Buiklawis, with the teinds, occupied by Thomas Lythgow, reserving therefrom the meadow now occupied by the granter and his tenants, paying yearly . . . Dated . . . (f. 137.)

Factory by the Earl to John Kyll in Ersiltoun to be his bailie of the barony of Coldenknows. Dated Edinburgh, 22nd October 1636; witnesses, Mr. Gideon Heburne, Mr. John Hamilton and James Brown, servitors to the Earl, and David Urquhart, servitor to Thomas, Lord Binning. (f. 138.)

Tack to Arthur Nasmyth, now in Lochflat, of the lands of Quhitrige, with the mill and teinds, in the barony of Ersiltoun by annexation, bailiary of Lauderdaill and shire of Berwick, for seven years (reserving certain duties and half an acre of land to the miller of Quhitrige) [*not completed*]. (f. 138.)

[Here the register ends.]

Charters granted by James Ainslie of Darnik, merchant burgess of Edinburgh, 1616-1619.

1. Charter to John Merser of eight acres of Brigend and the Lochbreist occupied by him in the lordship of Melrose and shire of Berwick, paying yearly five bolls and six pecks barley, Melrose measure, being 13 pecks for each boll, with 40 s. on the entry of each heir, and service at the courts of Darnik.

2. Confirmation of Charter by Peter Forrett, eldest son and heir apparent of Nicolas Forrett, messenger, indweller in Melrose, who with consent of William Maitland of Lethington, younger, granted to Margaret Scott, spouse of Thomas Turnbull in Hassindenbank in liferent and to William Turnbull, their eldest son, the lands called Marrisley and Beirfauld, parts of Darnik, paying yearly 20 s., and 20 s. at entry of heirs, which charter is dated Melrose, 15th September 1571; witnesses, Robert Scott of Over Hassenden, Nicolas Forrett in Melrose, father of the granter, Andrew Brydin in Selkirk, William Brydin, his brother, and John Brydin, notary public. Confirmation dated Edinburgh, 10th December 1616; witnesses, James Kinneir, W.S., Mr. Francis Hay, Mr. John Adamsoun, and Thomas Nevin, servitor to the said James Kinneir.

3. Precept of *Clare Constat* in favour of John Ischer as heir of the deceased Henry Dewar, his maternal grandfather, who died last infeft in eight acres of Darnik formerly held of the deceased William Maitland of Lethington and now of James Ainslie as superior in place of James Maitland of Lethington, son and heir of the said deceased William Maitland, in terms of disposition of the said lands of Darnik made to the said James Ainslie and the heirs male procreated between him and Isobel Howison, his spouse, paying yearly eight bolls barley, two kain fowls, two long carriages of 24 miles and a short carriage of 12 miles or thereby, and 20 s. at entry of heirs. Dated Edinburgh, 28th January 1617; same witnesses.

4. Precept of *Clare Constat* in favour of William

Chisholme as heir to his father William Chisholme in Darnik in six acres of Darnik, paying yearly six bolls barley, three kain fowls, two long carriages and one short carriage, with 15 s. at entry of heirs. Dated Edinburgh, 29th January 1617; witnesses, James Kinneir, Thomas Barbour, writer, burgess of Edinburgh, Mr. John Adamsoun, Thomas Nevin and Mr. Thomas Hay.

5. Precept of *Clare Constat* in favour of John Ischer as heir to his father John Ischer, in eight acres of Brigend, with teinds, paying yearly three bolls one firlot and two pecks barley in place of six firlots barley and three bolls oats contained in his father's infeftment; also 20 s. at entry of heirs. Dated Edinburgh, 29th January 1617; same witnesses, except Thomas Barbour.

6. Precept of *Clare Constat* in favour of Isabel Thorbrand, wife of Andrew Hutoun in Darnik, as heir to her deceased grandfather, William Thorbrand in Darnik, who died last infeft in eight acres of Darnik called Aker Cavill, with teinds, formerly occupied by the said William Thorbrand, paying yearly eight bolls barley, two kain fowls, two long carriages and one short carriage with 20 s. at entry of heirs. Dated Edinburgh, 5th February 1617; witnesses, Mr. John Adamsoun, Thomas Nevin and Mr. Francis Hay.

7. Precept of *Clare Constat* in favour of John Hietoun, as heir of his father Andrew Hietoun in Darnik, in the eight acres there formerly occupied by the said Andrew Hietoun and the six acres called 'Lie Maisteris land,' also formerly occupied by him, paying yearly for the eight acres eight bolls barley, two kain fowls, two long carriages and a short carriage; and 45 s. for the said six acres; also 35 s. for both at the entry of heirs. Dated Edinburgh, 7th February 1617; same witnesses, and James Kinneir.

8. Precept of *Clare Constat* narrating that the deceased William Maitland of Lethington, younger, feuar of the lands underwritten, granted charter at Edinburgh on 5th March 1566 to the deceased Thomas Ritchie of four

acres of Darnik with the teinds, who sold the same to John Hietoun, son and heir apparent of the deceased Andrew Hietoun, excepting a tenement and garden, which the said Thomas Ritchie sold to the said deceased Andrew Hietoun; and as by certain documents and instruments it is clearly known that the said deceased William Maitland, younger, granted charter at Edinburgh on 9th May 1567 to William Wricht of those crofts called Smythiscroft and Wrichtiscroft, being parts and pendicles of Darnik which William Wricht *alias* Evir Willie in Galtounsyde disponed to the said Andrew Hietoun in liferent, and the said John Hietoun, his son and heir apparent; as also that the said John Hietoun is lawful and nearest heir of the said deceased Andrew Hietoun, his father, and is of lawful age, and that the said lands are held of James Ainslie in the place of James Maitland of Lethington, son and heir of the said deceased William Maitland through his disposition of the said lands of Brigend made to the said James Ainslie and Isobel Howison his spouse and their heirs, paying yearly for the four acres four bolls barley, with two fowls, two long carriages and one short carriage and 10 s. at entry of heirs; and for the foresaid crofts 20 s. with 5 s. at the entry of heirs; with service at my courts. He therefore directed sasine to be given to the said John Hietoun, dated Edinburgh, 7th February 1617; witnesses, James Kinneir, Mr. Francis Hay and Mr. John Adamsoun.

9. Charter to James Hietoun, eldest lawful son of Andrew Hietoun, who was eldest lawful son of John Hietoun in Darnik, and the heirs to be procreated between him and Margaret Reidfuird, his future spouse, eldest lawful daughter of Robert Reidfuird in Haliden by the deceased —— Blaikie, his spouse, whom failing, the heirs and assignees of the said James whomsoever, of the eight acres formerly occupied by the deceased Andrew Hietoun, father of the said John Hietoun, also those six acres called 'Fiemaisteris land,' and the four acres which belonged to the deceased Thomas Ritchie, with the crofts called Smithis croft and Wrichtis croft, which all belonged to the

said John Hietoun and were resigned by him, paying yearly for the eight acres eight bolls barley, two kain fowls, two long carriages and one short carriage, and 45 s. for the six acres called 'Fiemaisteris land,' and for both 35 s. at entry of heirs; for the four acres four bolls of barley, two kain fowls, two long carriages and one short carriage, with 10 s. at entry of heirs; for Smythiscroft and Wrichtiscroft 20 s. with 5 s. at entry of heirs; with service at courts, etc.; dated Edinburgh, 17th February 1617; same witnesses.

10. Precept of *Clare Constat* in favour of Nicolas Merser as heir to his deceased father John Merser in 13 acres of the lands of Darnik, with the teinds, paying yearly 13 bolls barley, six kain fowls, two long carriages and one short carriage, with 33 s. at entry of heirs. Dated Edinburgh, 9th April 1617; same witnesses and Thomas Nevin.

11. Precept of *Clare Constat* to Isabel Smith, spouse of George Merser in Darnik, as heir to her grandmother, the deceased Katherine Lowrie, in two acres of Darnik; paying yearly two bolls barley, one kain fowl, two long carriages and two short carriages with 5 s. at entry of heirs. Dated Edinburgh, 9th April 1617; same witnesses.

12. Charter narrating that the deceased Stephen Fischar in Darnik was infeft by the deceased William Maitland of Lethington, younger, in four acres of Darnik, formerly occupied by the said Stephen Fishar, by charter dated Edinburgh, 5th March 1566, and which lands are now granted to George Merser and Isabel Smith, his wife, paying yearly four bolls barley, two kain fowls, two long carriages and one short carriage, with 10 s. at entry of heirs. Dated Edinburgh, 9th April 1617; witnesses, Laurence Scott of Harperrig, James Kinneir, W.S., Mr. Francis Hay and Mr. John Kinneir.

13. Charter narrating that the deceased Gilbert Cochrane in —— was infeft in 16 acres of Brigend, with the teinds, by charter dated at Edinburgh, 5th March 1566. Of these lands William Merser in —— acquired 12 acres from the heirs of the said Gilbert Cochrane, which with

the teinds are now granted to the said William Merser. Dated Edinburgh, 11th April 1617; witnesses, James Kinneir, W.S., and Mr. John Adamsoun, Thomas Nevin and Mr. Francis Hay, his servitors.

14. Precept of *Clare Constat* in favour of Marion Cochrane, spouse of William Darling in Darnik, as heir to her deceased father Richard Cochrane in eight acres of Darnik, paying yearly eight bolls barley, two kain fowls, two long carriages and one short carriage, with 20 s. at entry of heirs. Dated Edinburgh, 11th April 1617; same witnesses.

15. Precept of *Clare Constat* in favour of John Moss as heir to his deceased father, Thomas Moss, in six acres of Darnik, paying yearly six bolls barley, three kain fowls, two long carriages and one short carriage, with 15 s. at entry of heirs. Dated Edinburgh, 11th April 1617; witnesses, Mr. Francis Hay, Mr. David Kingorne and Mr. John Adamsoun, servitors to James Kinneir, W.S.

16. Charter narrating that James Ramsay in Darnik was infeft in four acres of Darnik by charter dated 5th March 1566, and that the deceased Barnard Smith in Darnik was infeft in 2½ acres of Darnik which lands Andrew Kennedy in Darnik acquired and now holds for himself and the heirs procreated between him and the deceased Janet Smith, his wife, who was granddaughter and heir apparent of the foresaid James Ramsay and Barnard Smith, paying yearly six bolls two firlots barley, 3½ kain fowls, four long carriages and two short carriages, with 16 s. 3 d. at entry of heirs. Dated Edinburgh, 11th April 1617; witnesses, James Kinneir, W.S., Thomas Nevin, Mr. John Adamsoun, and Mr. Francis Hay, his servitors.

17. Precept of *Clare Constat* in favour of Alexander Spotiswode, son of the deceased William Spotiswode by the deceased Christina Finlay, only daughter of the deceased John Finlay in Darnik, as heir to his grandfather the said John Finlay in four acres of Darnik, paying yearly four bolls barley, one kain fowl, two long carriages, one short carriage, with 10 s. at entry of heirs. Dated Edinburgh, 12th April 1617; same witnesses.

18. Precept of *Clare Constat* in favour of William Spotiswod as heir of the deceased Thomas Dewar in Darnik, his grandfather, in 1½ acres of Darnik, paying yearly one boll two firlots barley, one kain fowl, two long carriages, one short carriage, with 3 s. 9 d. at entry of heirs. Dated Edinburgh, 12th April 1617; same witnesses.

19. Precept of *Clare Constat* in favour of Andrew Kennedy as heir to his father Robert Kennedy in Darnik in four acres of Darnik, paying yearly four bolls of oats, two kain fowls, two long carriages, one short carriage, and 10 s. at entry of heirs. Dated Edinburgh, 12th April 1617; same witnesses.

20. Precept of *Clare Constat* in favour of John Symsone in Darnik as heir to his father, Richard Symsone there, in an acre of Darnik, paying yearly one boll barley, with 30 d. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

21. Precept of *Clare Constat* to Andrew Thomling as heir to his father John Thomling in Darnik, in four acres in Darnik, paying yearly four bolls barley with two kain fowls, two long carriages, one short carriage, and 12 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

22. Precept of *Clare Constat* to Michael Fischar in Darnik as heir to his grandfather John Fischer there, in 25 acres of Darnik and eight acres of Brigend, with the teinds, paying yearly for the 25 acres of Darnik 25 bolls barley, 12½ kain fowls, two long carriages and one short carriage, and for the eight acres of Brigend three bolls one firlot two pecks barley, —— kain fowls and —— carriages, with the sum of £4 30 d. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

23. Charter by James Ainslie of Darnik ratifying an infeftment by the deceased Elizabeth Reid in Darnik to Michael Fisher there of an acre of meadow called Bakhousmedow, a pendicle of Darnik in terms of her charter, and contract between her and the deceased Nicolas Fisher, father of the said Michael Fisher, dated

Darnik, 1st August 1571, in which she reserved her own liferent, paying yearly 14 s., with 30 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

24. Precept of *Clare Constat* in favour of Andrew Drummond as heir of his maternal grandfather James Fisher in Darnik in 2½ acres of Darnik and an acre in Braidmedow, paying for the 2½ acres two bolls two firlots barley, one and a half kain fowls, two long carriages and one short carriage, with 8 s. 9 d. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

25. Charter narrating that the deceased James Hietoun in Darnik was infeft by the deceased William Maitland of Lethington, younger, in six acres of Darnik with teinds, etc., by charter dated at Edinburgh, 5th March 1566, which lands were inherited by Katherine Hietoun, spouse of James Moss in Darnik, and Janet, Isabel and Agnes Hietoun, the four daughters and heirs portioners of the said deceased James Hietoun, and of which the foresaid James Moss and Katherine Hietoun, his spouse, purchased the parts belonging to her sisters. This charter is to the said James Moss and Katherine Hietoun, his spouse, and their heirs, paying six bolls barley, three kain fowls, two long carriages, one short carriage, with 15 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

26. Confirmation of Charter by William Barbour in Darnik, and Elizabeth Gleghorne, his spouse, to William Rennik in Darnik, of an acre of arable land, with teinds, called Sonniesyd or Wardenis aker, in Darnik, dated 7th December 1613, with sasine following thereupon, paying yearly one boll barley and 30 d. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

27. Confirmation of Charter by Walter Rankyn, son and heir of the deceased Walter Rankyn in Darnik, to the deceased Nicol Fisher and Alison Cranston, his spouse, and their heirs, whom failing, the heirs of the said Nicol Fisher, of four acres of Darnik, with teinds, and because Michael Fisher in Darnik is son and heir of the said deceased

Nicol Fisher, James Ainslie confirms the same to him, paying yearly four bolls barley, two kain fowls, two long carriages, one short carriage, with 10 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

28. Precept of *Clare Constat* in favour of John Mwdie as heir to his father's brother the deceased Thomas Mwdie in Darnik in two acres of Darnik with teinds, paying yearly two bolls barley, one kain fowl, two long carriages and one short carriage, with 5 s. at entry of heirs. Dated Edinburgh, 9th August 1617; same witnesses.

29. Charter narrating that the deceased Thomas Fisher in Darnik was infeft in 13 acres of Darnik which the deceased Mr. John Scott in Darnik acquired from the said Thomas Fisher; and Thomas Scott, son and heir of the said Mr. John Scott, with consent of Michael Fisher, portioner of Darnik, sold three acres to John Mwdie in Darnik, excepting a piece or butt of land lying beside the lands called Sonniesyd. James Ainslie therefore confirms to John Mwdie and his heirs and assignees the foresaid three acres, excepting as above, paying yearly three bolls barley, one kain fowl, one long carriage and one short carriage, with 15 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

30. Charter to Michael Fisher in Darnik of an acre of land in Braidmeadow and half an acre in Darnik, with teinds, occupied by him, which formerly belonged to Andrew Drummond in Darnik, grandson and heir of the deceased James Fisher, his maternal grandfather, which the said Andrew Drummond resigned, paying yearly for the acre one boll wheat, and for the half acre two firlots barley with half of a kain fowl, and 3 s. 9 d. at entry of heirs. Dated Edinburgh, 9th August 1617; same witnesses.

31. Confirmation of Charter by Walter Eleis in Danzeltoun with consent of George Eleis, his son and apparent heir, to Michael Fisher in Darnik of six acres of land called the Baitscheillhauch, with teinds, in the Annay, dated Melrose, 6th April 1596, with sasine following thereupon,

paying yearly six bolls barley and 15 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

32. Precept of *Clare Constat* in favour of John Chisholme as heir to his father William Chisholme in Darnik in two acres of Darnik, paying yearly two bolls barley, one kain fowl, two long carriages and one short carriage, with 5 s. at entry of heirs. Dated Edinburgh, 11th August 1617; witnesses, Mr. David Kingorne, Mr. William Scott and Mr. John Adamsoun, servitors of James Kinneir, W.S.

33. Precept of *Clare Constat* in favour of James Merser as heir of the deceased Patrick Merser in Darnik, his father's brother, in six acres of Darnik, paying yearly six bolls barley, three kain fowls, two long carriages, one short carriage, and 15 s. at entry of heirs. Dated Edinburgh, 11th August 1617; same witnesses, and Mr. Francis Hay.

34. Charter narrating that the deceased Thomas Cairnecroce in Darnik was infeft by charter dated at Edinburgh, 5th March 1566, in six acres of Darnik, which Thomas Cairnecroce then occupied, and which six acres were acquired from him by the deceased Mr. John Scott in Darnik, four acres of which the heirs of the said Mr. John Scott sold to William Darling in Darnik. Therefore James Ainslie confirms to the said William Darling the said four acres, paying yearly four bolls barley, two kain fowls, two long carriages, and 10 s. at entry of heirs. Dated Edinburgh, 13th August 1617; same witnesses, except Mr. William Scott.

35. Charter narrating that the deceased Thomas Fisher in Darnik was infeft by charter dated at Edinburgh, 5th March 1566, in 13 acres there then occupied by him, which lands Mr. John Scott in Darnik acquired from the said Thomas Fisher, and of which his heirs disponed to Richard Moss in Darnik two acres, presently occupied by John Moss and disponed to him by the said Richard Moss. Therefore James Ainslie confirms the said two acres to the said John Moss, paying yearly two bolls barley, one kain fowl and a long carriage, with 5 s. at entry of heirs. Dated Edinburgh, 8th August 1617; same witnesses.

36. Charter narrating that the deceased Thomas Carnecroce in Darnik was infeft in six acres there, and that the deceased Thomas Fisher in Darnik was infeft in 13 acres there, both infeftments being dated 5th March 1566, which lands were acquired by the deceased Mr. John Scott in Darnik from them; and Alexander Spottiswod in Darnik acquired two of the foresaid six acres and two of the foresaid 13 acres from the heirs of the said Mr. John Scott, wherefore James Ainslie grants this charter to the said Alexander Spottiswod, paying yearly four bolls barley, two kain fowls, two long carriages, and 10 s. at entry of heirs. Dated Edinburgh, 13th August 1617; same witnesses.

37. Charter narrating that Thomas Fisher in Darnik was infeft in 13 acres of Darnik which the deceased Mr. John Scott acquired from him, and of which the heirs of the said Mr. John Scott disponed four acres to Andrew Kennedy in Darnik, who again disponed them to William Kennedy, his son; wherefore James Ainslie grants this charter to the said William Kennedy of the foresaid four acres, paying yearly four bolls barley, two kain fowls, two long carriages, and 10 s. at entry of heirs. Dated Edinburgh, 13th August 1617; same witnesses.

38. Precept of *Clare Constat* in favour of Jasper Merser in Darnik as heir of the deceased John Myles, his maternal grandfather, in three acres of Darnik, paying yearly three bolls barley, one and a half kain fowls, two long carriages and one short carriage, with 7 s. 6 d. at entry of heirs. Dated Edinburgh, 13th August 1617; same witnesses.

39. Precept of *Clare Constat* in favour of William Mudy in Darnik as heir of the deceased William Mudy there, his grandfather, in six acres of Darnik, paying yearly six bolls barley, three kain fowls, two long carriages and one short carriage, and 15 s. at entry of heirs. Dated Edinburgh, 14th August 1617; same witnesses.

40. Charter narrating that Thomas Fisher in Darnik died last infeft in an acre there now occupied by Quintin Bowstoun and Katherine Fisher his spouse; also that the

deceased William Lees in Darnik was infeft in eleven acres there, and that the said William Lees sold to the said Thomas Fisher one of the said eleven acres, also now occupied by the said Quinton Bowstoun and his wife; further that Katherine Fisher and Janet Fisher are the lawful daughters and nearest heirs portioners of the said Thomas Fisher in the foresaid two acres, and that the said Janet resigned her part in favour of her said sister and Quintin Bowstoun, her spouse. Therefore James Ainslie confirms the said Quintin Bowstoun and his spouse and their heirs the foresaid two acres, paying yearly two bolls barley, one kain fowl, two long carriages and one short carriage, with 5 s. at entry of heirs. Dated Edinburgh, 17th August 1617; same witnesses.

41. Charter narrating that the deceased Thomas Fisher in Darnik was infeft in 13 acres of Darnik which he disponed to the deceased Mr. John Scott in Darnik, who redisponed to the said Thomas Fisher and Margaret Lees, his spouse, two acres thereof then occupied by the said Thomas Fisher, Andrew Hietoun, Thomas Drummond, Thomas Rankin and James Dwne, now occupied by Walter Watson and Katherine Fisher, his spouse, which Katherine Fisher is lawful daughter and nearest heir of the said Thomas Fisher in the said two acres. Therefore James Ainslie grants this charter confirming to the foresaid Walter Watson and his spouse and their heirs the said two acres, paying yearly two bolls barley, one kain fowl, one long carriage, and 5 s. at entry of heirs. Dated Edinburgh, 15th August 1617; same witnesses.

42. Charter narrating that Thomas Rankyn in Darnik was heritably infeft in two acres of Darnik by charter dated at Edinburgh, 5th March 1566, which Thomas Rankyn and Andrew Rankyn, his son and heir, sold to Robert Hietoun, grandson of the deceased Andrew Hietoun in Darnik. Therefore James Ainslie grants this charter confirming to the said Robert Hietoun and his heirs the foresaid two acres, paying yearly two bolls barley, one kain fowl, two long carriages and one short carriage, with 5 s.

at entry of heirs. Dated Edinburgh, 18th August 1617; same witnesses, and John Twedy.

43. Precept of *Clare Constat* in favour of David Moss as heir to his father James Moss in Darnik in two acres in Darnik and one acre called Makquharreis lands, paying yearly for the two acres two bolls barley, one kain fowl, two long carriages and one short carriage, and for the one acre one boll barley, with the sum of 7 s. 6 d. at entry of heirs. Dated Edinburgh, 26th August 1617; same witnesses.

44. Charter narrating that the deceased David Bell in Brigend was heritably infeft in three acres of the lands of Brigend by charter dated at Edinburgh, 5th March 1566, which David Bell had two lawful daughters, the deceased Katherine and Janet, and Thomas Hadden in Brigend married the said Katherine and they had two daughters, namely, Janet and Helen Hadden; while the foresaid Janet Bell renounced her interest in favour of the foresaid Thomas Hadden and his heirs. Therefore James Ainslie confirms to the said Thomas Hadden in liferent and to the said Janet and Helen Hadden, his daughters, in fee the foresaid three acres of Brigend, reddendo, five firlots and a lippie of barley, and that instead of nine pecks of barley, one boll and two pecks of oats contained in the old infeftment of these lands, with 7 s. 6 d. at entry of heirs. Dated Edinburgh, 22nd July 1618; same witnesses.

45. Charter narrating that the deceased Robert Rannaldsone in Brigend was infeft in eight acres of the lands of Brigend then occupied by himself by charter dated 5th March 1566, which lands were inherited by the deceased Alison Ranalsone, only sister german of the deceased —— Ronalsoune in Brigend, father of the foresaid Robert Ronalsone, who married the deceased John Fletcher in Lyndein and had a son Robert Fletcher, who succeeded through his mother to the said Robert Ronaldson, and sold these lands to the deceased Bartholomew Hownome, father of Andrew Hownome, who now occupies the same. Therefore James Ainslie grants

this charter confirming to the said Andrew Howname the foresaid eight acres. Reddendo three bolls, one firlot and two pecks of barley, instead of six firlots of barley and three bolls of oats contained in the old infeftment, also 20 s. at entry of heirs. Dated Edinburgh, 27th July 1618; same witnesses.

46. Charter narrating that Laurence Myldis in Darnik was infeft in eight acres of Darnik, by charter dated 5th March 1566, of which lands he disponed four acres to John Merser, formerly in Lilislie Grein, now in Darnik, which four acres James Ainslie by this present charter confirms to the said John Merser. Reddendo, four bolls barley, two kain fowls, one long carriage, one short carriage, and 7 s. at entry of heirs. Dated Edinburgh, 27th July 1617; same witnesses.

47. Charter narrating that the deceased Michael Mar in Darnik was infeft in two acres of Darnik and one acre of Brigend, with teinds, by charter dated 5th March 1566, and died last infeft in the foresaid acre of Brigend, and half of the houses, buildings and gardens formerly belonging to the foresaid two acres of Darnik and possessed by William Merser in Darnik and Margaret Mar, his spouse, and that Annabella and Margaret Mar are the lawful heirs portioners of the said deceased Michael Mar, their father, in these subjects, also that Annabella Mar renounced in favour of William Merser and Margaret Mar, his spouse, all her right therein, and the said Margaret Mar in her contract of marriage with the said William Merser transferred her right to him; wherefore James Ainslie grants and confirms to the said William Merser and his spouse the foresaid acre in Brigend with houses and teinds, and the foresaid half of the houses, buildings and yards in Darnik, paying yearly seven pecks of barley, in place of three pecks of barley and one firlot and two pecks of oats contained in the old infeftment, with 2 s. 6 d. at entry of heirs. Dated Edinburgh, 30th December 1618; same witnesses.

48. Charter narrating that the deceased Michael Mar in

Darnik was infeft in two acres of Darnik and one acre of the town of Brigend, by charter dated at Edinburgh, 5th March 1566, and sold to Andrew Mar in Galtounsyde those two acres with the teinds, who likewise sold them to William Barbor in Darnik, who in turn sold them to Robert Ridfurd and the deceased Malie Makie, his wife. Therefore James Ainslie confirms to the said Robert Ridfurd and his heirs and assignees the said two acres, paying yearly two bolls of barley, one kain fowl, two long carriages, a short carriage, and 5 s. at entry of heirs. Dated at Edinburgh, 30th December 1618; same witnesses.

49. Precept of *Clare Constat* infefting William Hetoun as heir to the deceased William Hetoun in Darnik, his grandfather, in four acres of Darnik, paying yearly two kain fowls, two long carriages and a short carriage, with 10 s. at entry of heirs. Dated at —— 161–.

50. Precept of *Clare Constat* for infefting Andrew Cuthbertson, son of the deceased —— Cuthbertson and the deceased Isabella Fraser, as heir to his said mother in two acres of Darnik, paying yearly two bolls of barley, one kain fowl, two long carriages, one short carriage, and 5 s. at entry of heirs. Dated Edinburgh, 13th January 1619; same witnesses.

51. Precept for infefting George Frier in Brigend as heir to his deceased father, Bartholomew Frier, in eight acres of land in Brigend, with the teinds, paying yearly three bolls one firlot two pecks barley, in lieu of six firlots of barley and three bolls of oats contained in his father's infeftment; also 20 s. at entry of heirs. Dated Edinburgh, 9th December 1619; same witnesses, and William Hay.

52. Charter by Michael Fischer, portioner of Darnik, and John Fischer, his eldest lawful son and apparent heir, whereby in implement of a contract made between them with consent of Helen Ker, wife of the said Michael Fisher, and Grizel Scot, wife of the said John Fisher, and also with consent of James Ainslie of Darnik, their superior, on the one part, and George Merser in Darnik on the other part, dated at Melrose, 21st August instant, they sell to the said

George Merser and his heirs and assignees their four acres of land in Darnik, with glebe, moors, brooms, woods (except the woods growing on that part of land of Darnik called Quhythilbrae), grazing and common pasture, also with the 'divet eird,' and with the teind sheaves lying discontiguous and by way of runrig through the fields and territory of Darnik; paying yearly four bolls of barley, with carriages, kain fowls and other duties as formerly wont to be paid, and their proportion of all other services contained in the ancient infeftments. Dated Melrose, 21st August 1619; witnesses, Alexander Eleis in Melrose, John Bower there, James Mose in Darnik, and James Vischart, son of Alexander Vischart, notary public.

53. Charter by Michael Fischer, portioner of Darnik, and John Fischer, his eldest lawful son, whereby in implement of a similar contract between them with consents as aforesaid and William Kennedy in Darnik, dated at Melrose, 21st August instant, they sell to the said William Kennedy and his heirs and assignees their four acres of Darnik with pertinents as above described lying runrig, paying yearly four bolls of barley, with carriages, kain fowls and other duties as formerly rendered. Dated and attested as the preceding.

54. Similar Charter by the said Michael and John Fischer to William Chisolme, portioner of Darnik, of eight acres of Darnik with the like pertinents, lying runrig, paying yearly eight bolls of barley, with carriages, kain fowls and other services contained in the ancient infeftments. Dated and attested as above.

55. Similar Charter by the said Michael and John Fischer to Nicol Merser in Darnik of two acres of Darnik with the like pertinents, lying runrig, paying yearly two bolls of barley, with carriages, kain fowls and other duties and services contained in the old infeftments. Dated and attested as above.

56. Similar Charter by the said Michael and John Fischer to Andrew Kennedie in Darnik of four acres of Darnik with pertinents as above lying runrig, paying yearly four bolls

of barley, with carriages, kain fowls and other duties and services contained in the ancient infeftments. Dated and attested as above.

57. Similar Charter by the said Michael and John Fischer to Matthew Kuik in Darnik of four acres of Darnik with the like pertinents lying runrig, paying yearly four bolls barley, with carriages, kain fowls and other duties and services as contained in the old infeftment. Dated and attested as above.

58. Charter by John Mudie in Darnik, called Byrend, whereby in implement of a contract between him with consent of James Ainslie of Darnik, his superior, and James Mose in Darnik, dated at Melrose, 4th August 1619, he sells to the said James Mose and his heirs and assignees his two acres of Darnik, with teinds, glebe, mosses, woods and brooms pertaining thereto lying runrig, paying yearly two bolls of barley, one kain fowl, and carriages used and wont. Dated at Melrose, 4th August 1619; witnesses, John Williamsone in Melrose, William Edger, younger, there, Nicol Merser in Darnik, and Alexander Mar, portioner of Newsteid.

MELROS

Inventar of the evidents conteanit in my register beginning at Newsteed.

[These are abstracts of charters granted by Thomas, Earl of Haddington, to the vassals of the Regality about the year 1620. Such of them as we have been able to trace we have dated, but no dates are given in the lists. The rent is given in each case with the carriages and irritancies.]

Charter of Andrew Meyne of eight acres of the lands of Newsteed with the teinds; paying yearly therefor £18, and 18 s. for a long carriage, 16 s. for two short carriages, 10 s. for three loads of turf and four kain fowls, with irritancy if three successive terms' duty remain unpaid, or if the subjects are disponed to any person not an occupier of the

lands of Newsteed without the superior's consent: shire of Roxburgh. (f. 1.)

Robert Trotter of eleven acres of the lands of Newsteid, with Tuipmeadow and Welmeadow, with the teinds. (f. 2.)

Margaret Wallace in a tenement within the precincts of Melrose. (f. 3.)

Adam Bell of eight acres of Newsteed and half Heulabut, with teinds. (f. 4.)

Andrew Ker of Yair of Freircroft; shire of Selkirk. (f. 5.)

Sir James Pringill of Gallasheills of Salarahaughe: shire of Roxburgh. (f. 6.)

John Williamsone [in Threepwood] [1] of the two parts of the half of Newhouses, with the teinds. (f. 7.)

William Dewar [in Threepwood] of the third part of the half of Newhouses or Threepwood, with teinds. (f. 8.)

John Moffett [in Threepwood] of one part of Threepwood, with the teinds. (f. 9.)

John Rolmanhouse [in Threepwood) of half of Newhouses, with teinds. (f. 10.)

[The last four writs are now in the hands of the Earl of Lauderdale and are dated 2nd December 1620.]

William Moffett [in Threepwood] of two parts of Threepwood, with teinds. (f. 11.)

Archibald Moffett [in Threepwood] of one part of Threepwood, with teinds. (f. 12.)

Robert Hall [in Threepwood] of one and a half parts of Threepwood, with teinds. (f. 13.)

John Moffett [in Threepwood] of one and a half parts of Threepwood, with teinds. (f. 14.)

Jenot Hog of two husband lands of Newtoun. (f. 16.)

Mungo Mylne of one and a half husband lands of Newtoun. (f. 17.)

James Meyne of eight acres of the lands of Newsteid, with the teinds. (f. 18.)

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[1] The words in brackets in this and succeeding entries are supplied from the margin.

John Meyne of sixteen and a half acres of Newsteid called Coityairds and the piece of land called Eildoncoit, with teinds. (f. 20.)

Robert Meyne of two acres of Newsteid, with the teinds. (f. 21.)

Alexander Mar of twelve acres and four acres in Coityairds of Newsteid, with teinds. (f. 22.)

Andrew Sclaitter of twelve acres with three acres called Langmeadow and a piece of land called Serjandbut with a garden called Wheityairds lying in the town of Newsteid, with the teinds. (f. 24.)

The following lands in Newtoun.

Henry Cochran of a husband land. (f. 25.)

George Hastie of a husband land. (f. 26.)

Thomas Hastie of a husband land and the fourth part of a husband land. (f. 27.)

Thomas Stenhouse of a husband land and the fourth part of a husband land. (f. 28.)

Alexander Cochran of three parts of a husband land. (f. 29.)

John Andirsone of a husband land. (f. 30.)

Andrew Heitoun of two husband lands with the quarter of a husband land. (f. 31.)

John Cochrane of the half of a husband land. (f 32.)

John Chysholme of one husband land. (f. 33.)

James Andirsone of the half of a husband land. (f. 34.)

Alexander Mayne of four acres of Newsteed, with the teinds. (f. 34.)

William Broun of ten acres of land in Newsteed, with the teinds. (f. 35.)

John Meyne of two acres of Newsteed, with the teinds. (f. 36.)

James Broun of eight acres of Newsteed, with the teinds. (f. 37.)

John Bunyie of eight acres of Newsteid and three acres of the Annay of Melrose, with the teinds. (f. 38.)

Mr. John Knox and his wife of a dwelling house and garden within the precinct of Melrose, with another garden

called Oratoryaird and a tenement in Littel Fordell, also an acre of land in Quarrell and part of the lands of Wairds [with the teinds]. (f. 39.)

Mr. Thomas Ker of seven and a half acres of the Annay of Melrose, with the teinds; an acre in Querrellhill, two parts of the Wairds and the garden called Deandaves yaird. (f. 40.)

George Ruthirfurde [Laird Fairingtoun] of Munkisclosses. (Rent £2, 1 s.) (f. 41.)

Thomas Watsone [in Melrose] of a tenement in Little Fordell and an acre in Querrellhill. (f. 42.)

John Wallace [smith in Melrose] of a little garden within the precinct of Melrose, a tenement in Little Fordell, an acre in Quarrelhill and part of a land in Wairds. (f. 43.)

John Wilsone [in Rodberrie] of a tenement in Little Fordell and an acre in Quarrellhill. (f. 43.)

Isobella Williamsone of a dwelling house and garden within the precinct of Melrose. (f. 44.)

Walter Scott in Danyeltoun [Melrose] of a tenement in Little Fordell. (f. 45.)

Ralph Haliburtoune [in Melrose] of an acre of the Annay of Melrose, a dwelling house and two gardens within the precinct of Melrose, a tenement in Little Fordell and one and a half parts of the Wairds, with teinds. (f. 46.)

James Ker [in Melrose] of nine acres of the Annay of Melrose, with five yairds and his houses lying within the precinct of Melrose, with teinds. (f. 47.)

James Edgare [in Melrose] of a dwelling house, barn and garden, and another dwelling house within the precinct of Melrose, three tenements in Little Fordell, six acres in Querrellhill, six parts of the Wairds and six acres in Annay of Melrose, with the teinds. (f. 48.)

James Nicoll [in Melrose] of three acres of the Annay, with the teinds, also a tenement and half a tenement in Little Fordell, a barn and two little gardens within the precinct of Melrose and two parts of Wairds. (f. 49.)

Patrick Loukup [in Melrose] of three acres of Annay of Melrose with the teinds, and a dwelling house and two gardens within the precinct of Melrose. (f. 50.)

George Eilleis in Danyeltoun of four acres of the Annay of Melrose, with the teinds, a tenement in Little Fordell, an acre of land in Querrellhill and two parts of the Wairds. (f. 51.)

Charter by James Hunter of Halkburne to Thomas Hunter now of Halkburne of the lands of Halkburne and three husband lands in Blainslie; paying to the said James Hunter 1 d. if asked, and to the superior the customary duties and services. (f. 52.)

Precept for infefting Francis Hunter in Halkburne and three husband lands in Blainslie. (f. 53.)

Charter of Thomas Hunter of the lands of Halkburne and three husband lands of Blainslie; paying yearly for Halkburne 8 merks, and for the lands in Blainslie 5 merks 5 s. 4 d., 10 poultry and 3⅓ long carriages. (f. 54.)

Tack of the teinds of Halkburne to the said Thomas Hunter [of Halkburne] for the lifetimes of himself and his heir and 19 years thereafter, for 10 merks yearly. (f. 55.)

James Edgar [in Melrose] of a croft extending to nine acres of the Annay of Melrose with the teinds (prior to 29 Nov. 1625). (f. 55.)

Jennot Greiff of two and a half husband lands of Blainslie. (f. 56.)

William Hunter of Braidwoodsheill and Braidwood house of Hill. (f. 58.)

The following lands in Blainslie.

George Pringill of three husband lands. (f. 59.)

John Rolmanhouse of the half of a husband land and the third part of another husband land. (f. 60.)

Thomas Lyell of a husband land with the piece of land called Nethirland. (f. 61.)

John Pringill of a husband land. (f. 62.)

Thomas Fogo of a husband land. (f. 63.)

Marion Clarke of a half husband land and the third part of a half husband land. (f. 64.)

William Stirling of two husband lands. (f. 66.)

George Rolmanhouse of one husband land and half of a husband land. (f. 67.)

Thomas Sounhouse of half of an husband land. (f. 68.)

John Thin of two husband lands with the third part of other two husband lands. (f. 69.)

Marion Cairter of half a husband land with the third part of another husband land. (f. 71.)

Katherine Rolmanhouse of half of a husband land and the third part of another husband land. (f. 72.)

James Sounehouse of an husband land with the half of the garden called Cairtersyaird. (f. 73.)

William Johnestoune of a husband land. (f. 74.)

James Greiff of a husband land. (f. 76.)

James Hall of two husband lands with the half of another husband land. (f. 77.)

Hugh Hardie of a husband land and half of the lands of Cairtersyairds in Blainslie. (f. 78.)

[His daughter Isobel Hardie had a Writ of *Clare Constat* on 14th September 1627.]

Edward Darling of two husband lands and the half of another husband land in Blainslie. (f. 79.)

Edward Rolmanhouse of one husband land and the half and the third part of a husband land (28th February 1621, Earl of Lauderdale's Writs). (f. 81.)

George Pringill of a husband land. (f. 82.)

John Davidsone of two husband lands. (f. 83.)

William Andirsone of two husband lands and the half of a husband land in Ridpeth. (f. 84.)

John Maiben [in Melrose] of two acres of the Annay of Melrose, with the teinds, a tenement in Little Fordell, an acre in Quarrellhill and part of a land in Wairds. (f. 85.)

John Scott [in Melrose] of a dwelling house and garden within the precinct of Melrose. (f. 86.)

Thomas Lythgow of two husband lands in Ridpeth. (f. 87.)

Adam Murray of two husband lands in Lassudden. (f. 88.)

Mr. John Scott [Melrose] of seven acres of the Annay of Melrose, with teinds, half of Bowersbrae and dwelling houses and gardens within the precinct of Melrose, two acres in Querrellhill, and one and a half parts of the Wairds. (f. 89.)

Thomas Mar in Newsteid of two acres of the Annay of Melrose, two acres of Newsteid, three acres of Howlands and three acres of Monkland, lying in Newsteid, with the teinds. (f. 90.)

John Andirsone of a husband land in Ridpeth. (f. 91.)

The following lands in Lessudden.

John Thorbrand of a husband land. (f. 92.)

David Gawstoun of a husband land and a quarter. (f. 93.)

John Bryden of two husband lands and the quarter and half a quarter of a husband land. (f. 95.)

James Cochrane of a husband land. (f. 96.)

William Riddill in Bowdoun in three quarters of husband lands. (f. 98.)

John Riddill of the half of a husband land. (f. 99.)

Hugh Riddill of three quarters of the lands (*sic*). (f. 100.)

Thomas Unnes of a husband land and a half. (f. 102.)

Thomas Kylle of a husband land and a half. (f. 104.)

Walter Coitt of the half of a husband land. (f. 105.)

David Gibsone of a half husband land. (f. 107.)

Walter Stoddert of a husband land. (f. 108.)

George Hastie of the half of a husband land. (f. 109.)

Alexander Hastie of a husband land. (f. 110.)

James Hunter of a husband land. (f. 112.)

John Jamesone of a husband land. (f. 113.)

David Purves of the half of a husband land. (f. 114.)

Thomas Lethan of the half of a husband land. (f. 115.)

Mungo Kyll of a husband land. (f. 117.)

Andrew Richesone of the half of a husband land. (f. 118).

Robert Meyne of the half of a husband land. (f. 119.)

John Thorbrand of the half of a husband land. (f. 120.)

James Eistoun of the half of a husband land. (f. 121.)

Andrew Thorbrand of the quarter of a husband land. (f. 123.)

Christian Gibsone of the quarter of a husband land. (f. 124.)

John Paton of the quarter of a husband land. (f. 125.)

John Allane of the half of a husband land. (f. 126.)

Walter Gibsone of the quarter of a husband land. (f. 127.)

Mungo Purves of the quarter of a husband land. (f. 129.)

William Purves of the quarter of a husband land. (f. 130.)

David Purves, weaver, of the quarter of a husband land. (f. 131.)

John Allane [in Langnewtoun] of the half of a husband land. (f. 133.)

James Pringill, apparent of Buckholme, of one husband land. (f. 134.)

Andrew Mar of the lands of Gattonside called Freirslands, with the teinds. (f. 135.)

Andrew Ormstoun [in Westhouses] of the lands of Gattonsyd called Freirslands, with teinds. (f. 136.)

Patrick Riddill [in St. Boswells] of the quarter of a husband land in Lessudden. (f. 137.)

Andrew or David Meyne [in Newsteed] of two acres of Newsteed, with teinds. (f. 138.)

Barthilmew Maben [in Newsteid] of a small croft called Alleyes in Newsteed, with teinds. (f. 139.)

Mungo Mylne of a husband land in Newtoun. (f. 140.)

Mungo Mylne of the half of a husband land in Newtoun. (f. 141.)

The Charter of the Weavers' Incorporation of Melrose.

[Contributed by Mr. James Curle of Priorwood.]

'Wee John Earle of Hadington Lord Bining and Byres Lord of the lordschippe and baillie principall of the regalitie of Melros, considdering that forsamikle as att the good pleasour of God the inhabitants of the weivar craft of the regalitie of Melros incresses, and it is most requisite necessar and convenient, for the glorie of God, policie of his Majesties realme, and weill of his Hienes leidges duelland within our said regalitie of Melros, and whoe resorts therto, that as the number of the inhabitants of the weivar craft duelland therin daylie incresses sua they should incres in vertue and policie, and that the said regalitie should be decored with good and sufficient craftsmen being ordourlie called therto for estabilishing good ordour among themselfs to there oune weill profeit and comoditie and to the ease and weill of the remanent inhabitants within the said regalitie and off our soveraigne Lords leidges resorting therto for the tyme, Thairfor to have given and granted, lykeas wee be thir presents gives grants and erects for us our airs and successors the airt and craft of weivercraft, in ane frie airt and craft, to be only wrought used and exerced be frie men sutch as schall be admitted therto be the deacone off the said craft (he allwayes being ane residentar within the said brughe off the regalitie of Melros) and sua many masters as schall be choysen with him inhabitants within the said regalitie in all tyme heirefter, with powar to the frie men masters of the said craft inhabitants of the said regalitie to conveen yearlie att Melros and nominat choise and leit thrie honest sufficient persones of the said craft, quheroff wee or any uther our baillies or factors ther haveing our powar and comissione for that effect schall yearlie elect and choyse ane off the forsaids persones to be deacone and ane other of them to be box master of the said craft for keippeing of ther box, with powar also to the saids friemen to tak under ther libertie and freedome the haill walkers litsters and dressers of

cloaths, and lykewayes to receave friemen of the saids crafts, within any part of the bounds of the said regalitie of Melros, and to depose and debarre all unfriemen from workeing within the saids bounds at any tyme heirefter except they be first receaved friemen off the said craft, and paying ten merks Scots money the ane halfe therof to us and our saids deputs and the uther halfe therof to the box off the said craft, and to prohibet and debarre all friemen from takeing any prentise to the said craft without consent of the deacone and masters of the said craft for the tyme first had and obteaned, under the payne off fyve merks Scots money, the ane halfe therof to perteane to the baillie of the said regalitie and his deputs present and to come, and the uther halfe to the box of the said craft, as also that everie master and prenteis att the binding off the prenteis with consent forsaid pay for aither of them twentie schilling Scots to the box off the said craft, and lykewayes that everie frie man of the said craft pay yearlie to the said box the soume of sex schilling Scots and ilk jurneyman of the said craft thrie schilling Scots money yearlie to the said box for aliementing of the poor of the said craft and ther relicts and bairnes; and in lyke manner that everie weivar whoe intends to be one off the friemen of the said airt and craft pay presentlie at ther entrie ilk ane of them respective the soume off tuelfe schilling Scots the ane halfe therof to us and our saids deputs and the uther half to the box of the said craft for the use forsaid, utherwayes not to be receaved as friemen except they pay what the deacone, masters and friemen of the said craft schall modifie therefter, the ane halfe therof to us and our saids deputs and the uther halfe to the box of the said craft for the use forsaid; as also that everie prenteis efter the expyreing of his prenteishippe and leaveing of his master pay fourtie schilling Scots the one half to us and our saids deputs and the uther halfe to the box of the said craft, befor they be permitted to work as friemen themselfs; as also that no frie man or ther servants (for whom they are to be ansureable) shall work or mak att any tyme heirefter any insufficient cloathe lining or wollen or uthers, under the payne off

fyve merks Scots of penaltie *toties quoties* for each fault efter the samen shall be cognosced to be insufficient work be the deacone and masters of the craft for the tyme, the ane halfe theroff to us and our baillie deputs and the uther halfe to the box of the said craft; and lykewayes that the said craft nor non of them schall mak use off any uther clerk to ther respective meitings aither to the wreatting of ther indentures or to the leiting of ther deacone and box-master, or to any uther ther meittings, butt allenerlie our clerk of the said regalitie present and to come, utherwayes the samen to be null and void; and in lykemaner that no frieman efter the daite heirof haveing taken one prenteis schall tak admitt or accept of ane uther prenteise untill sutch tyme the first prenteise haive served tuo yeares compleat, under the payne off fower pounds Scots money, by and attour the dewes to be payed be ther prentises off the said craft, the ane halfe therof to us and our baillie deputs and the uther half thereof to the box of the said craft for the use forsaid; and in lyke manner that no persone within the said regalitie att any tyme heirefter cary any lining or wollen or any uther to be wrought without the said regalitie, under the payne off fyve merks Scots for each fault *toties quoties*, to be payed to us and our said deputs, the said weaver craft being allwayes not exorbitant in ther prices and serveing the leidges of the said regalitie as uthers weivers about doeth. And lykewayes wee heirby requyre and command our present baillie deput of the said regalitie and his successors in the said office to concurre with the said deacone and friemen in putting of the forsaids priviledges friedomes immunities and liberties granted by us in this our seall off cause within the haill bounds off our said regalitie to executione allanerlie, upon the quhich conditiones and no utherwayes wee for us and our forsaids have granted and grants and erects the forsaid craft and airt of weivar craft in ane frie airt and craft in all tyme heirefter. In testimonie quheroff (wreatten be David Denhame, servitor to Thomas Wilkiesone, clerk of Melros) wee have subscryved this our present Seall of Cause with our hands our proper seall is heirto appendded att Tyning-

hame the seaventein day off March j^{m} vj^{c} thriescore eight yeares, befor thir witness, Mr. Robert Maine of Lochwood, Robert Lauder our servitor, Mr. James Aitchiesone, schoolmaster att Tyninghame, David Robiesone, servitor to the Ladie Trabroun, and Thomas Wilkiesone, our clerk of the regalitie of Melros. (Signed) HADINTON; Robert Maine, witnes; Robert Lauder, witnes; Ja. Acheson, witnes; David Robisone, witnes; Tho. Wilkiesone, witnes.'

'Edinburgh, 22 December 1752. Registrate as a Probative write in the Books of Session in the office of M. F. Clerks.'

Seal of the Earl attached, much defaced.

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